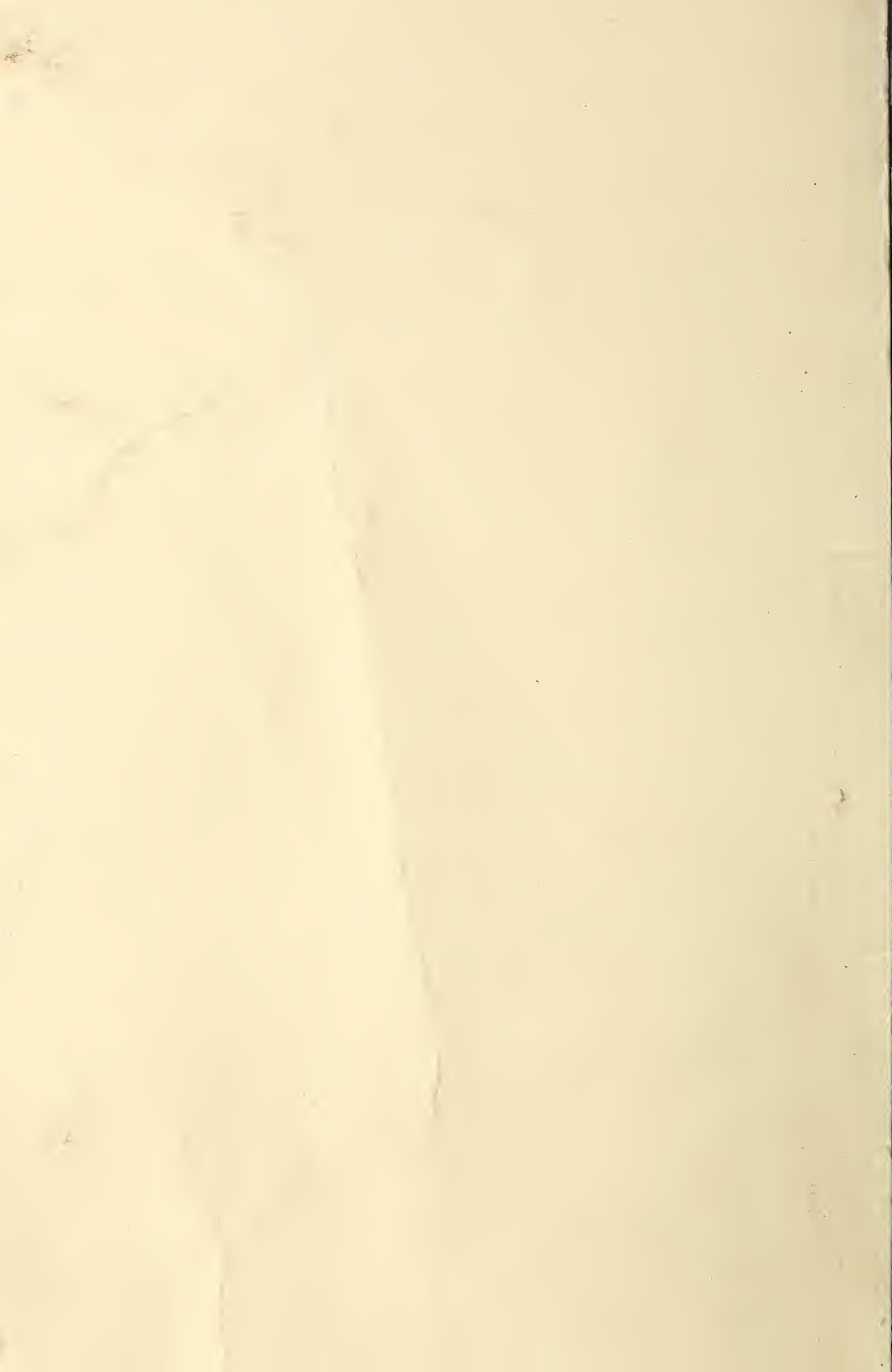


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# United States Department of Agriculture

## FOOD, DRUG, AND INSECTICIDE ADMINISTRATION

### NOTICES OF JUDGMENT UNDER THE FOOD AND DRUGS ACT

[Given pursuant to section 4 of the food and drugs act]

16001-16050

[Approved by the Secretary of Agriculture, Washington, D. C., June 22, 1929]

**16001. Adulteration and misbranding of Lax-Krax. U. S. v. 30 Dozen Cartons of Lax-Krax. Default decree of condemnation, forfeiture, and destruction.** (F. & D. No. 22776. I. S. No. 17617-x. S. No. 758.)

On May 18, 1928, the United States attorney for the District of Colorado, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying seizure and condemnation of 30 dozen cartons of Lax-Krax, remaining in the original unbroken packages at Denver, Colo., consigned by the Cubblison Cracker Co., Los Angeles, Calif., alleging that the article had been shipped from Los Angeles, Calif., on or about March 29, 1928, and had been transported from the State of California into the State of Colorado, and charging adulteration and misbranding in violation of the food and drugs act as amended.

Analysis of a sample of the article by this department showed that it is a brown cracker containing the laxative drug, senna.

It was alleged in the libel that the article was adulterated, considered as a food, in that it contained an added deleterious ingredient which might have rendered it injurious to health, and in that senna had been substituted in part for the said article. Adulteration of the article considered as a drug was alleged for the reason that its strength or purity fell below the professed standard or quality under which it was sold.

Misbranding of the article was alleged for the reason that the following statements were false and misleading: (Blue circular) "100% Food 100% Laxative Now made possible by the Natural Science combination of whole grain, honey, and vegetation baked into a delicious cracker \* \* \*. Epsom salts, Glauber, and a hundred other kinds, and remedies with aloes do not eliminate 'They Irritate,' drawing water from the blood back into the stomach, flushing the bowels and giving us a bowel wash-day at the expense of the blood which is usually followed by tiredness and constipation. Dr. Hollie's Laxative Foods are made from wholesome herbs and grains. They do not irritate, they contain no salts, aloes, or horse remedies." Misbranding was alleged for the further reason that the following statements regarding the curative and therapeutic effects of the article were false and fraudulent, since it contained no ingredient or combination of ingredients capable of producing the effects claimed: (Blue circular) "Goodbye Drugs Goodbye Disease \* \* \* Dandelion for Sluggish Liver, Juniper Berries for the Kidneys, Spinach for the Stomach, Licorice for the Intestines, Alfalfa Flowers for the Blood, Celery for the Nerves, Chamomile for the Colon, Honey gives Fuel to the Body, Whole Grain builds Muscle and Bone. All disease can be banished by eating good food well digested and its waste properly eliminated. A great Doctor once said, 'With proper elimination there can be no disease.' \* \* \* You can enjoy restful sleep, overcome nervousness, indigestion, and the rest of the human ailments by eliminating disease from the body with this remarkable

food. \* \* \* Here is Health Insurance for all;" (booklet) "A Liver Cleanser, Beauty starts in the liver. A bad sluggish liver will cause a yellow complexion and wrinkles in the face, and cause the skin to become flabby all over the body \* \* \*. Eat two or three of Dr. Hollie's Laxative Crackers daily, and in two or three weeks, the eyes and skin will clear up, and the pain in the back will leave. \* \* \* External Beauty. This depends on internal beauty elements. Remove all impurities from the body two or three times a day with such laxative foods as pears, peaches, prunes, or herbs. The easiest way to assist nature, is to eat Dr. Hollie's laxative food crackers. To cure Headaches, we must cure the Cause. \* \* \* Zone 6. Laxative Food (Hollie's Crackers) \* \* \* (Diagram of human head divided into 7 zones.) Proper Elimination the Key to Perfect Health. Laxative Foods Like Dandelion for Sluggish Liver, Juniper Berries for the Kidneys, Spinach for the Stomach, Licorice for the Intestines, Alfalfa Flowers for the Blood, Celery for the Nerves, Chamomile for the Colon, Honey gives Fuel to the Body, Whole Grain Builds Muscle and Bone as baked in correct proportions in Dr. Hollie's Laxative Food Crackers. Gives health in abundance and overcomes high blood pressure, nervousness, acidity, indigestion, and the rest of the human ailments through proper elimination and rebuilding the eliminating organs."

On August 29, 1928, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

ARTHUR M. HYDE, *Secretary of Agriculture.*

**16002. Adulteration and misbranding of cocoa. U. S. v. 11 Barrels of Cocoa. Consent decree of condemnation and forfeiture. Product released under bond. (F. & D. No. 22797. I. S. No. 22556-x. S. No. 830.)**

On May 24, 1928, the United States attorney for the Northern District of California, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying seizure and condemnation of 11 barrels of cocoa, remaining in the original unbroken packages at San Francisco, Calif., consigned by the Oregon Transfer Co., Portland, Oreg., alleging that the article had been shipped from Portland, Oreg., February 2, 1928, and had been transported from the State of Oregon into the State of California, and charging adulteration and misbranding in violation of the food and drugs act. The article was labeled in part: "American Brand Pure Cocoa Powder E. & A. Opler Inc., Chicago."

It was alleged in the libel that the article was adulterated in that cocoa shell had been mixed and packed with and substituted in part for the said article.

Misbranding was alleged for the reason that the designation "Pure Cocoa Powder" was false and misleading and deceived and misled the purchaser.

On September 19, 1928, E. & A. Opler (Inc.), Chicago, Ill., having appeared as claimant for the property and having consented to the entry of a decree, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be released to the said claimant upon payment of costs and the execution of a bond in the sum of \$100, conditioned in part that it be made to conform with the Federal food and drugs act under the supervision of this department.

ARTHUR M. HYDE, *Secretary of Agriculture.*

**16003. Adulteration and misbranding of currant jelly. U. S. v. 110 Cases of Red Currant Jelly. Consent decree of condemnation and forfeiture. Product released under bond. (F. & D. No. 22404. I. S. No. 17520-x. S. No. 490.)**

On January 30, 1928, the United States attorney for the Northern District of California, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying seizure and condemnation of 110 cases of red currant jelly, remaining in the original packages at San Francisco, Calif., consigned by the Goodwin Preserving Co., New Orleans, La., alleging that the article had been shipped from New Orleans, La., on or about October 24, 1927, and had been transported from the State of Louisiana into the State of California, and charging adulteration and misbranding in violation of the food and drugs act. The article was labeled in part: "Goodwin's Best Red Currant Jelly \* \* \* Goodwin Preserving Co. Inc., Louisville, Ky., U. S. A."

It was alleged in the libel that the article was adulterated in that pectin and tartaric acid had been mixed and packed therewith so as to reduce and lower



and injuriously affect its quality and strength, and for the further reason that acidified pectin jelly had been substituted wholly or in part for fruit jelly.

Misbranding was alleged for the reason that the statement "Red Currant Jelly," borne on the label, was false and misleading and deceived and misled the purchaser, and for the further reason that the article was sold under the distinctive name of another article.

On September 14, 1928, the Goodwin Preserving Co., Louisville, Ky., having appeared as claimant for the property and having consented to the entry of a decree, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be released to the said claimant upon payment of costs and the execution of a bond in the sum of \$500, conditioned in part that it be made to conform with the provisions of the Federal food and drugs act under the supervision of this department.

ARTHUR M. HYDE, *Secretary of Agriculture.*

**16004. Adulteration and misbranding of dairy feed. U. S. v. 32 Bags of Dairy Feed. Default decree of condemnation, forfeiture, and destruction.** (F. & D. No. 22697. I. S. No. 20378-x. S. No. 733.)

On April 6, 1928, the United States attorney for the Northern District of West Virginia, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying seizure and condemnation of 32 bags of dairy feed, remaining unsold in the original packages at Romney, W. Va., alleging that the article had been shipped by Deal Bros. Milling Co., from Cumberland, Md., on or about February 27, 1928, and had been transported from the State of Maryland into the State of West Virginia, and charging adulteration and misbranding in violation of the food and drugs act. The article was labeled in part: "Jersey Dairy Feed 16% \* \* \*. Analysis, Protein 16%, Fiber 12% \* \* \* manufactured by Deal Brothers Milling Company, Cumberland, Maryland."

It was alleged in the libel that the article was adulterated in that a substance deficient in protein and containing excessive fiber had been mixed and packed with and substituted in part for the said article.

Misbranding was alleged for the reason that the statement, "16% \* \* \* Analysis, Protein 16%, Fiber 12%," borne on the label, was false and misleading and deceived and misled the purchaser.

On July 13, 1928, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

ARTHUR M. HYDE, *Secretary of Agriculture.*

**16005. Adulteration of canned sardines. U. S. v. 7½ Cases of Sardines. Default order of destruction entered.** (F. & D. No. 23045. I. S. No. 02527. S. No. 1132.)

On September 4, 1928, the United States attorney for the District of Massachusetts, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying seizure and condemnation of 7½ cases of sardines, remaining in the original unbroken packages at Cambridge, Mass., consigned about June 12, 1928, alleging that the article had been shipped by the Ramsdell Packing Co., Lubec, Me., and transported from the State of Maine into the State of Massachusetts, and charging adulteration in violation of the food and drugs act. The article was labeled in part: "Stag Brand Packed by Ramsdell Packing Co., Lubec, Washn. Co., Me."

It was alleged in the libel that the article was adulterated in that it consisted in whole or in part of a filthy, putrid, or decomposed animal substance.

On October 11, 1928, no claimant having appeared for the property, judgment was entered ordering that the product be destroyed by the United States marshal.

ARTHUR M. HYDE, *Secretary of Agriculture.*

**16006. Adulteration and misbranding of Odol. U. S. v. 10½ Dozen Bottles of Odol. Default decree of condemnation, forfeiture, and destruction.** (F. & D. No. 22954. S. No. 999.)

On August 3, 1928, the United States attorney for the District of Massachusetts, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying seizure and condemnation of 10½ dozen bottles of Odol, remaining in the original unbroken packages at Boston, Mass., consigned on or about June 5, 1928, alleg-

ing that the article had been shipped by the Odol Corporation, New York, N. Y., and transported from the State of New York into the State of Massachusetts, and charging adulteration and misbranding in violation of the food and drugs act as amended.

Analysis of a sample of the article by this department showed that it consisted essentially of alcohol (78 per cent), salol, and water, flavored with volatile oils, including peppermint oil. Bacteriological examination showed that in the dilution mentioned in the directions for use, the article did not destroy common disease-producing bacteria within 5 minutes.

It was alleged in the libel that the article was adulterated in that its strength fell below the professed standard under which it was sold, that is to say, "antiseptic, \* \* \* Europe's leading antiseptic, \* \* \* highly effective, \* \* \* germ-destroying liquid such as Odol."

Misbranding was alleged for the reason that the following statements upon the label were false and misleading: "Antiseptic. For nearly forty years Odol has been Europe's leading antiseptic \* \* \*. It is \* \* \* highly effective \* \* \*. Use Odol \* \* \* especially at night before retiring. While sleeping germs do their most destructive work." Misbranding was alleged for the further reason that the following statements regarding the therapeutic effects of the article, borne on the label, were false and fraudulent, since it contained no ingredient or combination of ingredients capable of producing the effects claimed: "For the \* \* \* Mouth. Throat, and Breath \* \* \*. The world's famous \* \* \* Healing \* \* \* Mouthwash \* \* \*. It Purifies, \* \* \* prevention of pyorrhea—sore and bleeding gums—sore throat—mouth ulcer—Purifying the Breath \* \* \* for the mouth and throat \* \* \*. They do not reach the gums, inner cheeks, tongue, throat, and many other corners, crevices, and cavities, commonly referred to as germ incubators. These parts need a germ-destroying, lasting, soothing liquid such as Odol. Most germs of disease enter the body thru the mouth. Protect and keep it clean with Odol—Health's best safeguard \* \* \*. While sleeping germs do their most destructive work."

On September 26, 1928, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

ARTHUR M. HYDE, *Secretary of Agriculture.*

**16007. Adulteration of frozen poultry. U. S. v. 1 Barrel of Frozen Poultry. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 22955. I. S. No. 02404. S. No. 1023.)**

On August 3, 1928, the United States attorney for the District of Massachusetts, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying seizure and condemnation of 1 barrel of frozen poultry, remaining in the original unbroken packages at Boston, Mass., consigned about July 17, 1928, alleging that the article had been shipped by Swift & Co., Shenandoah, Iowa, and transported from the State of Iowa into the State of Massachusetts, and charging adulteration in violation of the food and drugs act.

It was alleged in the libel that the article was adulterated in that it consisted in part of a filthy, decomposed, and putrid animal substance, in that it consisted in part of a portion of an animal unfit for food, and in that it was the product of a diseased animal.

On October 11, 1928, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

ARTHUR M. HYDE, *Secretary of Agriculture.*

**16008. Adulteration of canned spinach. U. S. v. 58 Cases of Canned Spinach. Consent decree of condemnation and destruction. (F. & D. No. 22493. I. S. No. 20892-x. S. No. 519.)**

On March 2, 1928, the United States attorney for the District of Connecticut, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying seizure and condemnation of 58 cases of canned spinach, remaining in the original unbroken packages at Waterbury, Conn., alleging that the article had been shipped by the D. E. Foote Co. (Inc.), Baltimore, Md., on or about November 9, 1927, and transported from the State of Maryland into the State of Connecticut and charging adul-



teration in violation of the food and drugs act. The article was labeled in part: "Summer Girl Brand Spinach."

It was alleged in the libel that the article was adulterated in that it consisted in part of a filthy, decomposed, and putrid vegetable substance.

On July 23, 1928, by consent of the claimant, judgment of condemnation was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

ARTHUR M. HYDE, *Secretary of Agriculture.*

**16009. Misbranding of butter. U. S. v. 110 Cases of Butter. Decree of condemnation and forfeiture entered. Product released under bond.**  
(F. & D. No. 23129. I. S. Nos. 0838, 0839, 0840. S. No. 1194.)

On or about September 7, 1928, the United States attorney for the Eastern District of Louisiana, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying seizure and condemnation of 110 cases of butter, remaining in the original unbroken packages at New Orleans, La., alleging that the article had been shipped by the Manning Creamery Co., from Manning, Iowa, on or about August 2, 1928, and transported from the State of Iowa into the State of Louisiana, and charging misbranding in violation of the food and drugs act as amended. A portion of the article consisted of plain wrapped quarters labeled (shipping carton) "Quarters," and invoiced "25-30# Boxes  $\frac{1}{4}$  # P. W." A portion of the article consisted of plain wrapped solids labeled (shipping carton) "1 Lb. Solids." A portion of the article consisted of quarters labeled (shipping carton) "Quarters," (retail carton) "Pfeifer's Elegant Creamery Butter Quarter Prints One Pound Net Farmers Co-Operative Creamery Co."

It was alleged in the libel that the article was misbranded in that the statement "Quarters," with respect to the plain wrapped quarters, the statement "1 Lb. Solids," with respect to the plain wrapped solids, and the statements "Quarters" and "One Pound Net," with respect to the "Elegant Brand," were false and misleading and deceived and misled the purchaser, and in that the article was food in package form and the quantity of the contents was not plainly and conspicuously marked on the outside of the packages, and in that the quantities stated on the said packages were not correct.

On September 14, 1928, Gerde, Newman & Co., New Orleans, La., having appeared as claimant for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be released to the said claimant upon payment of costs and the execution of a bond in the sum of \$2,000, conditioned in part that it be repacked, and should not be used or disposed of without having been inspected by a representative of this department.

ARTHUR M. HYDE, *Secretary of Agriculture.*

**16010. Adulteration of butter. U. S. v. 8 Cubes of Butter. Consent decree of condemnation and forfeiture. Product released under bond.**  
(F. & D. No. 23080. I. S. No. 0218. S. No. 1107.)

On or about August 16, 1928, the United States attorney for the Western District of Washington, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying seizure and condemnation of 8 cubes of butter, remaining in the original unbroken packages at Seattle, Wash., alleging that the article had been shipped by the Commercial Creamery Co., Baker, Oreg., August 7, 1928, and transported from the State of Oregon into the State of Washington, and charging adulteration in violation of the food and drugs act.

It was alleged in the libel that the article was adulterated in that a product containing less than 80 per cent of milk fat had been substituted for butter.

On August 29, 1928, the Commercial Creamery Co., Baker, Oreg., claimant, having admitted the allegations of the libel and having consented to the entry of a decree, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be released to the said claimant upon payment of costs and the execution of a bond in the sum of \$500, conditioned in part that it be repacked under the supervision of this department, and should not be sold or otherwise disposed of contrary to law.

ARTHUR M. HYDE, *Secretary of Agriculture.*

**16011. Adulteration of frozen poultry and frozen chickens. U. S. v. 1 Barrel of Frozen Poultry, et al. Default decrees of condemnation, forfeiture, and destruction.** (F. & D. Nos. 22901, 22902, 22903, 22904, 22931. I. S. Nos. 02808, 02809, 02810, 02811, 02817. S. Nos. 968, 969, 970, 971, 997.)

On July 23 and July 31, 1928, respectively, the United States attorney for the District of Massachusetts, acting upon reports by the Secretary of Agriculture, filed in the District Court of the United States for said district libels praying seizure and condemnation of 2 barrels of frozen poultry and 13 barrels of frozen chickens, remaining in the original unbroken packages at Springfield, Mass., consigned between the dates of June 12 and July 16, 1928, alleging that the article had been shipped by Swift & Co., in interstate commerce, in various consignments, from Chillicothe, Mo., Des Moines, Iowa, Newton, Iowa, and Ottumwa, Iowa, respectively, into the State of Massachusetts, and charging adulteration in violation of the food and drugs act.

It was alleged in the libels that the article was adulterated in that it consisted in part of a filthy, decomposed, and putrid animal substance, in that it consisted in part of an animal unfit for food, and in that it was the product of a diseased animal.

On September 26, 1928, no claimant having appeared for the property, judgments of condemnation and forfeiture were entered, and it was ordered by the court that the product be destroyed by the United States marshal.

ARTHUR M. HYDE, *Secretary of Agriculture.*

**16012. Misbranding of An-A-Cin. U. S. v. 20 Cartons of An-A-Cin. Default decree of condemnation, forfeiture, and destruction.** (F. & D. No. 22829. S. No. 882.)

On June 19, 1928, the United States attorney for the District of Massachusetts, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying seizure and condemnation of 20 cartons of An-A-Cin, remaining in the original unbroken packages at Boston, Mass., consigned on or about May 23, 1928, alleging that the article had been shipped by McNally Bros., Brooklyn, N. Y., and transported from the State of New York into the State of Massachusetts, and charging misbranding in violation of the food and drugs act as amended.

Analysis of a sample of the article by this department showed that it consisted essentially of acetphenetidin (3 grains per tablet), quinine, acetylsalicylic acid, caffeine, and starch.

It was alleged in the libel that the article was misbranded in that the packages containing the said article failed to bear a statement on the label of the quantity or proportion of acetphenetidin, a derivative of acetanilide, since, although the statement "Acetphenetidin (acetanilide derivative) 3 gr. per table" appeared on the label, it was inconspicuously placed thereon and was in exceedingly small type. Misbranding was alleged for the further reason that the following statements regarding the curative and therapeutic effects of the article were false and fraudulent, since it contained no ingredient or combination of ingredients capable of producing the effects claimed: (Tin container) "Usual adult dose for headache, toothache, earache, neuritis, neuralgia, colds, rheumatism \* \* \* and periodical pains, 1 or 2 tablets first followed by 1 tablet each hour or each two hours as required. Sore throat—Dissolve 1 tablet in wineglass of water and gargle. Usual child's dose: Age 4-7 years, one-fourth adult dose; age 8-12 years, one-half adult dose;" (circular) " \* \* \* without any fear of depressing the heart \* \* \*. It has no depressing action on the heart and can, therefore, be safely administered to children and invalids. \* \* \* without any untoward or ill after-effects or reaction \* \* \*. One of the principal uses of Anacin is for the relief of pain in conditions as headache, the neuralgias, rheumatism, etc. In such conditions one or two tablets should be taken with a little water first and then one tablet every hour until relief is experienced. In such conditions as influenza, common colds, la grippe, Anacin has an antifebrifuge action which means that it will reduce the fever and relieve the symptoms. In the early stages of a cold the administration of Anacin will help to abort the cold and prevent it from developing into something more serious. In such conditions two tablets should be taken with water at the first evidence of the ailment, followed by one tablet every hour until relief is secured."

On September 26, 1928, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

ARTHUR M. HYDE, *Secretary of Agriculture.*



**16013. Adulteration and misbranding of blueberries. U. S. v. 4 Crates of Blueberries. Default decree of condemnation, forfeiture, and destruction.** (F. & D. No. 23081. I. S. No. 02474. S. No. 1106.)

On August 16, 1928, the United States attorney for the District of Massachusetts, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying seizure and condemnation of 4 crates of blueberries, remaining in the original unbroken packages at Boston, Mass., consigned about August 14, 1928, alleging that the article had been shipped by Charles Helin, from Rockland, Me., and transported from the State of Maine into the State of Massachusetts, and charging adulteration and misbranding in violation of the food and drugs act as amended.

It was alleged in the libel that the article was adulterated in that it consisted in part of a filthy, decomposed, and putrid vegetable substance.

Misbranding was alleged for the reason that three of the said crates failed to bear a statement of the net weight or volume of the contents.

On September 26, 1928, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

ARTHUR M. HYDE, *Secretary of Agriculture.*

**16014. Adulteration and misbranding of ground cumin seed. U. S. v. 2 Barrels of Ground Cumin Seed. Default decree of condemnation, forfeiture, and destruction.** (F. & D. No. 22963. S. No. 1032.)

On August 7, 1928, the United States attorney for the District of Maryland, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying seizure and condemnation of 2 barrels of ground cumin seed, remaining in the original unbroken packages at Baltimore, Md., alleging that the article had been shipped by the Van Camp Packing Co., from Indianapolis, Ind., on or about July 19, 1928, and transported from the State of Indiana into the State of Maryland, and charging adulteration and misbranding in violation of the food and drugs act.

It was alleged in the libel that the article was adulterated in that a substance, dirt, had been substituted in part for the said article, and had been mixed and packed with it so as to reduce, lower, and injuriously affect its quality.

Misbranding was alleged for the reason that the designation "Pure Ground Cumin Seed," borne on the libel, was false and misleading and deceived and misled the purchaser, and for the further reason that the article was offered for sale under the distinctive name of another article.

On October 26, 1928, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

ARTHUR M. HYDE, *Secretary of Agriculture.*

**16015. Adulteration of canned cherries. U. S. v. 104 Cases of Canned Cherries. Default decree of condemnation, forfeiture, and destruction.** (F. & D. No. 23089. I. S. No. 03165. S. No. 1134.)

On September 19, 1928, the United States attorney for the Eastern District of Pennsylvania, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying seizure and condemnation of 104 cases of canned cherries, remaining in the original unbroken packages at Philadelphia, Pa., consigned by the Ray-Maling Co. (Inc.), Hillsboro, 'Oreg., alleging that the article had been shipped from Hillsboro, Oreg., on or about December 30, 1926, and transported from the State of Oregon into the State of Pennsylvania, and charging adulteration in violation of the food and drugs act.

It was alleged in the libel that the article was adulterated in that it consisted in whole or in part of a filthy, putrid, or decomposed vegetable substance.

On October 22, 1928, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

ARTHUR M. HYDE, *Secretary of Agriculture.*

**16016. Adulteration of canned sardines. U. S. v. 24¼ Cases of Sardines. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 23088. I. S. No. 03168. S. No. 1173.)**

On September 13, 1928, the United States attorney for the Eastern District of Pennsylvania, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying seizure and condemnation of 24¼ cases of sardines, remaining in the original unbroken packages at Philadelphia, Pa., consigned by the Sunset Packing Co. (Inc.), Pembroke, Me., alleging that the article had been shipped from Pembroke, Me., on or about August 3, 1928, and transported from the State of Maine into the State of Pennsylvania, and charging adulteration in violation of the food and drugs act. The article was labeled in part: "Drummer Boy Brand Sardines \* \* \* Packed by The Sunset Packing Co., Inc., West Pembroke, Me."

It was alleged in the libel that the article was adulterated in that it consisted in part of a filthy, decomposed, or putrid animal substance.

On October 22, 1928, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

ARTHUR M. HYDE, *Secretary of Agriculture.*

**16017. Adulteration of canned sardines. U. S. v. 4 Cases of Sardines. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 23058. I. S. No. 02530. S. No. 1154.)**

On September 6, 1928, the United States attorney for the District of Massachusetts, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying seizure and condemnation of 4 cases of sardines, remaining in the original unbroken packages at Lowell, Mass., consigned about May 29, 1928, alleging that the article had been shipped by the Sunset Packing Co. (Inc.), Pembroke, Me., and transported from the State of Maine into the State of Massachusetts, and charging adulteration in violation of the food and drugs act. The article was labeled in part: "Sunset Brand American Sardines \* \* \* Packed by The Sunset Packing Co. Inc., West Pembroke, Me."

It was alleged in the libel that the article was adulterated in that it consisted in part of a filthy, decomposed, or putrid animal substance.

On October 11, 1928, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

ARTHUR M. HYDE, *Secretary of Agriculture*

**16018. Misbranding of An-A-Cin. U. S. v. 8 Dozen Packages of An-A-Cin. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 22821. I. S. No. 20484-x. S. No. 875.)**

On June 18, 1928, the United States attorney for the District of Maryland, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying seizure and condemnation of 8 dozen packages of An-A-Cin, remaining in the original unbroken packages at Baltimore, Md., alleging that the article had been shipped by McNally Bros. warehouse, from New York, N. Y., on or about April 25, 1928, and transported from the State of New York into the State of Maryland, and charging misbranding in violation of the food and drugs act as amended.

Analysis of a sample of the article by this department showed that it consisted essentially of acetphenetidin (3 grains per tablet), quinine, acetylsalicylic acid, caffeine, and starch.

It was alleged in the libel that the article was misbranded in that the package containing the said article failed to bear a statement on the label of the quantity or proportion of acetphenetidin, a derivative of acetanilide, since, although the statement "acetphenetidin (acetanilid derivative) 3 gr. per tablet" appeared on the label, it was inconspicuously placed thereon and was in exceedingly small type.

Misbranding was alleged for the further reason that the following statements borne on the labels, regarding the curative and therapeutic effects of the article, were false and fraudulent, since it contained no ingredient or combination of ingredients capable of producing the effects claimed: (Tin container) "Usual adult dose for headache, toothache, earache, neuritis, neuralgia, colds, rheumatism \* \* \* and periodical pains, 1 or 2 tablets first followed by 1 tablet each hour or each two hours as required. Sore throat—dissolve 1



tablet in wineglass of water and gargle. Usual child's dose: Age 5-7 years, one-fourth adult dose; age 8-12 years, one-half adult dose;" (circular) " \* \* \* without any fear of depressing the heart \* \* \*. It has no depressing action on the heart and can, therefore, be safely administered to children and invalids. \* \* \* without any untoward or ill after-effects or reaction \* \* \*. One of the principal uses of Anacin is for the relief of pain in conditions as headache, the neuralgias, rheumatism, etc. In such conditions one or two tablets should be taken with a little water first and then one tablet every hour until relief is experienced. In such conditions as influenza, common colds, la grippe, Anacin has an antifebrifuge action which means that it will reduce the fever and relieve the symptoms. In the early stages of a cold the administration of Anacin will help to abort the cold and prevent it from developing into something more serious. In such conditions two tablets should be taken with water at the first evidence of the ailment, followed by one tablet every hour until relief is secured."

On October 20, 1928, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

ARTHUR M. HYDE, *Secretary of Agriculture.*

**16019. Adulteration of canned sardines. U. S. v. 680 Cases, et al., of Sardines. Decrees of forfeiture entered. Product released upon bond.** (F. & D. No. 23011. I. S. Nos. 02241, 02317, 02318. S. No. 1094.)

On August 23 and September 6, 1928, respectively, the United States attorney for the Southern District of Georgia, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district libels, and on August 25, 1928, an amendment to the former of said libels, praying seizure and condemnation of 716 cases of sardines, remaining in the original unbroken packages in part at Savannah, Ga., and in part at Brunswick, Ga., alleging that the article had been shipped by the Van Camp Sea Food Co., in part from Los Angeles, Calif., December 6, 1927, and in part from Wilmington, Calif., February 27, 1928, and transported from the State of California into the State of Georgia, and charging adulteration in violation of the food and drugs act. The article was labeled in part: "White Star Brand Tinapa Sardines \* \* \* Originated and packed by exclusively Van Camp Sea Food Co., Inc., Los Angeles Harbor, California, U. S. A."

It was alleged in the libels that the article was adulterated in that it consisted in whole or in part of a filthy, decomposed, or putrid animal substance.

On October 13, 1928, the Van Camp Sea Food Co., Los Angeles, Calif., having appeared as claimant for the property and having admitted the allegations of the libels, judgments of forfeiture were entered, and it was ordered by the court that the product be released to the said claimant upon payment of costs and the execution of bonds totaling \$3,250, conditioned in part that it be sorted and reconditioned under the supervision of this department, and the portion unfit for food be destroyed.

ARTHUR M. HYDE, *Secretary of Agriculture.*

**16020. Adulteration and misbranding of olive oil. U. S. v. 267 Gallons, et al., of Olive Oil. Default decree of condemnation and destruction entered.** (F. & D. No. 22800. I. S. Nos. 24285-x, 24286-x, 24287-x. S. No. 826.)

On May 28, 1928, the United States attorney for the District of Connecticut, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying seizure and condemnation of 354 $\frac{3}{4}$  gallons of olive oil, remaining in the original unbroken packages at Bridgeport, Conn., alleging that the article had been shipped by the Italian Olive Oil Corporation, New York, N. Y., on or about April 17, 1928, and transported from the State of New York into the State of Connecticut, and charging adulteration and misbranding in violation of the food and drugs act as amended. The article was labeled in part: "Mamma Brand Pure Olive Oil."

It was alleged in the libel that the article was adulterated in that a substance other than olive oil had been substituted wholly or in part for the said article and had been mixed and packed with it so as to reduce, lower, or injuriously affect its quality or strength.

Misbranding was alleged for the reason that the following statements, designs, or devices appearing on the package or label were false and misleading and deceived and misled the purchaser: "Olio D'Oliiva Extra Puro Vergine Im-

portato Dall' Italia Quest' Olio d'Oлива é garentito assolutamente puró sotto analisi chimica, e della migliore qualità." (Same statements in English, and cut of olive sprays bearing olives.) Misbranding was alleged for the further reason that the article was offered for sale under the distinctive name of another article. Misbranding was alleged with respect to a portion of the product for the further reason that it was in package form and the quantity of the contents was not plainly and conspicuously marked on the outside of the package.

On September 25, 1928, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

ARTHUR M. HYDE, *Secretary of Agriculture.*

**16021. Adulteration and misbranding of butter. U. S. v. 19 Tubs of Butter. Consent decree of condemnation and forfeiture. Product released under bond. (F. & D. No. 23038. I. S. No. 02934. S. No. 1017.)**

On or about July 27, 1928, the United States attorney for the Southern District of New York, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying seizure and condemnation of 19 tubs of butter, remaining in the original unbroken packages at New York, N. Y., alleging that the article had been shipped by the Golden Star Creamery Association, Bennett, Iowa, on or about July 23, 1928, and had been transported from the State of Iowa into the State of New York, and charging adulteration and misbranding in violation of the food and drugs act.

It was alleged in the libel that the article was adulterated in that a substance deficient in butterfat had been mixed and packed therewith so as to reduce or lower or injuriously affect its quality or strength and had been substituted wholly or in part for the said article.

Misbranding was alleged for the reason that the article was offered for sale under the distinctive name of another article.

On August 8, 1928, the Golden Star Creamery Association (Inc.), Bennett, Iowa, claimant, having admitted the allegations of the libel and having consented to the entry of a decree, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be released to the said claimant upon payment of the costs of the proceedings and the execution of a bond in the sum of \$600, conditioned in part that it be reworked and reprocessed so as to contain at least 80 per cent of butterfat.

ARTHUR M. HYDE, *Secretary of Agriculture.*

**16022. Adulteration of Brazil nuts. U. S. v. 75 Bags of Brazil Nuts. Consent decree of condemnation entered. Product released under bond. (F. & D. No. 22154. S. No. 164.)**

On November 11, 1927, the United States attorney for the Western District of New York, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying seizure and condemnation of 75 bags of Brazil nuts, remaining in the original unbroken packages at Buffalo, N. Y., alleging that the article had been shipped from New York, N. Y., on September 21, 1927, after importation into this country, by the William A. Camp Co., and charging adulteration in violation of the food and drugs act.

It was alleged in the libel that the article was adulterated in that it consisted in whole or in part of a filthy, decomposed, or putrid vegetable substance.

On December 21, 1927, the Loblaw Groceterias (Inc.), Buffalo, N. Y., having appeared as claimant for the property and having consented to the entry of a decree, judgment of condemnation was entered, and it was ordered by the court that the product be released to the claimant upon the execution of a good and sufficient bond, conditioned in part that it be salvaged under the supervision of this department, and that the said claimant pay the cost of the proceedings.

ARTHUR M. HYDE, *Secretary of Agriculture.*

**16023. Adulteration and misbranding of buttermilk tablets. U. S. v. 138 Bottles of Buttermilk Tablets. Decree of condemnation and forfeiture entered. Product released under bond. (F. & D. No. 22883. I. S. Nos. 25829-x, 25830-x. S. No. 944.)**

On July 13, 1928, the United States attorney for the Eastern District of Louisiana, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying seizure and



condemnation of 138 bottles of buttermilk tablets, remaining in the original unbroken packages at New Orleans, La., alleging that the article had been shipped by Parke, Davis & Co., Detroit, Mich., on or about May 28, 1928, and had been transported from the State of Michigan into the State of Louisiana, and charging adulteration and misbranding in violation of the food and drugs act. The article consisted of two lots labeled, respectively: "Lactone or Buttermilk Tablets Parke, Davis & Company Detroit, Mich. (10 tablets) One tablet to pint of milk. Use before March 26, 1929 0898-B" and "Buttermilk Tablets Lactone. One crushed tablet is sufficient for one pint of milk. This product should be used before Feb. 11, 1929 0318-E. \* \* \* Parke, Davis & Co. Detroit, Mich."

It was alleged in the libel that the article was adulterated in that a sterile product inactive in milk had been mixed and packed with and substituted wholly or in part for the said article.

Misbranding was alleged for the reason that the designation "Buttermilk Tablets" was false and misleading and deceived and misled the purchaser when applied to a product incapable of producing buttermilk.

On August 20, 1928, Parke, Davis & Co., Detroit, Mich., having appeared as claimant for the property and having admitted the allegations of the libel, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be released to the said claimant upon payment of costs and the execution of a bond in the sum of \$20, conditioned in part that it be relabeled to comply with the law.

ARTHUR M. HYDE, *Secretary of Agriculture.*

**16024. Misbranding and alleged adulteration of cottonseed meal. U. S. v. 80 Sacks of Cottonseed Meal. Consent decree of condemnation entered. Product released under bond. (F. & D. No. 22315. I. S. No. 20650-x. S. No. 361.)**

On December 19, 1927, the United States attorney for the Western District of New York, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying seizure and condemnation of 80 sacks of cottonseed meal, remaining in the original unbroken packages at Buffalo, N. Y., alleging that the article had been shipped by the Home Oil Mill Co., Decatur, Ala., September 29, 1927, and had been transported from the State of Alabama into the State of New York, and charging adulteration and misbranding in violation of the food and drugs act. The article was labeled in part: "Guaranteed Analysis Owl Brand 36% Prime Cottonseed Meal \* \* \* Protein (Min.) 36.00%, Nitrogen (Min.) 5.76%, Fibre (Max.) 14.00%."

It was alleged in the libel that the article was adulterated in that a substance deficient in protein and nitrogen and containing excessive crude fiber had been mixed and packed therewith so as to reduce, lower, or injuriously affect its quality or strength.

Misbranding was alleged for the reason that the statements, "Thirty-six per cent Prime Cottonseed Meal, Guaranteed Analysis Protein (Min.) 36 per cent, Nitrogen (Min.) 5.76%, Fibre (Max.) 14 per cent," borne on the label, were false and misleading and deceived and misled the purchaser, and for the further reason that the article was offered for sale under the distinctive name of another article.

On December 30, 1927, the Henry & Missert Feed Co. (Inc.), Buffalo, N. Y., having appeared as claimant for the property and having consented to the entry of a decree, judgment condemning the product as misbranded was entered, and it was ordered by the court that the product be released to the said claimant upon payment of the costs of the proceedings and the execution of a bond in the sum of \$100, conditioned that it should not be sold or otherwise disposed of contrary to law, and if offered for sale it be relabeled under the supervision of this department, in part: "Protein 34.00%, Fat 5.00%, Nitrogen 5.44%, Fibre 16.50%."

ARTHUR M. HYDE, *Secretary of Agriculture.*

**16025. Misbranding of cottonseed meal. U. S. v. 400 Sacks of Cottonseed meal. Consent decree of condemnation entered. Product released under bond. (F. & D. No. 22245. I. S. No. 23229-x. S. No. 297.)**

On December 1, 1927, the United States attorney for the Western District of New York, acting upon a report by the Secretary of Agriculture, filed in the

District Court of the United States for said district a libel praying seizure and condemnation of 400 sacks of cottonseed meal, remaining in the original unbroken packages at Buffalo, N. Y., alleging that the article had been shipped by the Southern Cotton Oil Co., Montgomery, Ala., November 22, 1927, and transported from the State of Alabama into the State of New York, and charging misbranding in violation of the food and drugs act. The article was labeled in part: "100 Lbs. Net Helmet Brand Prime Cottonseed meal, Ashcraft Wilkinson Co., Atlanta, Ga. Guaranteed Analysis Protein minimum 41 per cent."

It was alleged in the libel that the article was misbranded in that the statement "Protein minimum 41 per cent," borne on the label, was false and misleading and deceived and misled the purchaser.

On December 12, 1927, the Ashcraft Wilkinson Co., Atlanta, Ga., having appeared as claimant for the property and having consented to the entry of a decree, judgment of condemnation was entered, and it was ordered by the court that the product be released to the said claimant upon payment of the costs of the proceedings and the execution of a bond in the sum of \$1,000, conditioned that it should not be sold or otherwise disposed of contrary to law, and if sold that it be relabeled under the supervision of this department to show the protein content of 39.5 per cent.

ARTHUR M. HYDE, *Secretary of Agriculture.*

**16026. Adulteration of frozen poultry. U. S. v. 1 Box of Frozen Poultry. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 23022. I. S. No. 03003. S. No. 1081.)**

On August 28, 1928, the United States attorney for the Southern District of New York, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying seizure and condemnation of 1 box of frozen poultry, remaining in the original unbroken packages at New York, N. Y., alleging that the article had been shipped by the Morris Poultry & Egg Co., from St. Joseph, Mo., on or about August 4, 1928, and had been transported from the State of Missouri into the State of New York, and charging adulteration in violation of the food and drugs act.

It was alleged in the libel that the article was adulterated in that it consisted in part of a portion of an animal unfit for food, and in that it was the product of a diseased animal.

On September 12, 1928, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

ARTHUR M. HYDE, *Secretary of Agriculture.*

**16027. Adulteration of frozen poultry. U. S. v. 1 Barrel of Frozen Poultry. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 23028. I. S. No. 03016. S. No. 1116.)**

On August 28, 1928, the United States attorney for the Southern District of New York, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying seizure and condemnation of 1 barrel of frozen poultry, remaining in the original unbroken packages at New York, N. Y., alleging that the article had been shipped by E. L. McKinley, from Piqua, Ohio, on or about August 14, 1928, and had been transported from the State of Ohio into the State of New York, and charging adulteration in violation of the food and drugs act.

It was alleged in the libel that the article was adulterated in that it consisted in part of a portion of an animal unfit for food, and in that it was the product of a diseased animal.

On September 12, 1928, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

ARTHUR M. HYDE, *Secretary of Agriculture.*

**16028. Adulteration of raisins. U. S. v. 251 Cases of Raisins. Consent decree of condemnation and forfeiture. Product released under bond. (F. & D. No. 22831. I. S. No. 25959-x. S. No. 892.)**

On June 22, 1928, the United States attorney for the Northern District of Illinois, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying seizure and condemnation of 251 cases of raisins, remaining in the original unbroken packages at Chicago, Ill., alleging that the article had been shipped by the A. W.



Walsh Co., from Kalamazoo, Mich., May 15, 1928, and had been transported from the State of Michigan into the State of Illinois, and charging adulteration in violation of the food and drugs act.

It was alleged in the libel that the article was adulterated in that it consisted in part of a filthy and putrid vegetable substance.

On September 8, 1928, Leifer & Simmons, Chicago, Ill., claimant, having admitted the allegations of the libel and having consented to the entry of a decree, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be released to the said claimant upon payment of costs and the execution of a bond in the sum of \$500, conditioned in part that it be salvaged under the supervision of this department so as to remove the unfit portion.

ARTHUR M. HYDE, *Secretary of Agriculture.*

**16029. Adulteration and misbranding of chocolate confections. U. S. v. 92 Boxes of Chocolate Confections. Default decree of condemnation and destruction. (F. & D. No. 22722. I. S. Nos. 24259-x, 24260-x, 24262-x. S. No. 755.)**

On April 19, 1928, the United States attorney for the District of Connecticut, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying seizure and condemnation of 92 boxes of chocolate confections, remaining in the original unbroken packages at New Haven, Conn., alleging that the articles had been shipped by D. Auerbach & Sons, New York, N. Y., in various consignments, on or about January 11, January 20, and April 2, 1928, respectively, and transported from the State of New York into the State of Connecticut, and charging adulteration and misbranding in violation of the food and drugs act. The articles were labeled in part, variously: "Auerbach Chocolate Marshmallow Bars Manufactured by D. Auerbach & Sons, New York, U. S. A.;" "Auerbach Four Kings Chocolate Covered Manufactured by D. Auerbach & Sons;" "Chocolate Nut Sundae D. Auerbach & Sons."

It was alleged in the libel that the articles were adulterated in that a foreign fat had been mixed and packed with and substituted in part for the said articles.

Misbranding was alleged for the reason that the statements, "Chocolate" and "Chocolate Covered," borne on the labels, were false and misleading and deceived and misled the purchaser, and for the further reason that the articles were offered for sale under the distinctive name of other articles.

On September 25, 1928, the claimant having failed to file an answer or contest the action, judgment of condemnation was entered, and it was ordered by the court that the products be destroyed by the United States marshal.

ARTHUR M. HYDE, *Secretary of Agriculture.*

**16030. Adulteration and misbranding of butter. U. S. v. 22 Cases of Butter. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 22733. I. S. No. 21589-x. S. No. 773.)**

On April 13, 1928, the United States attorney for the Southern District of Florida, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying seizure and condemnation of 22 cases of butter, remaining in the original unbroken packages at Jacksonville, Fla., alleging that the article had been shipped by the Fitzgerald Creamery, Fitzgerald, Ga., April 7, 1928, and transported from the State of Georgia into the State of Florida, and charging adulteration and misbranding in violation of the food and drugs act as amended. The article was labeled in part: "Sweet Clover Creamery Butter, One Pound, Manufactured for Smith, Richardson and Conroy, Inc., Jacksonville, Fla."

It was alleged in the libel that the article was adulterated in that a product deficient in milk fat had been substituted for butter, which the said article purported to be.

Misbranding was alleged for the reason that the statement, to wit, "Butter," borne on the packages containing the article was false and misleading and deceived and misled the purchaser in that it represented that the article consisted wholly of butter, a product which should contain not less than 80 per cent by weight of milk fat, as prescribed by law, whereas it did not consist wholly of butter, but did consist of a product containing less than 80 per cent by weight of milk fat. Misbranding was alleged for the further reason that the article was in package form and did not bear a statement of the quantity

of the contents plainly and conspicuously marked on the outside of the package, since the statement "One Pound" was not correct as the packages contained less than 1 pound.

On June 15, 1928, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

ARTHUR M. HYDE, *Secretary of Agriculture.*

**16031. Adulteration of frozen poultry. U. S. v. 1 Barrel of Frozen Poultry. Consent decree of condemnation and destruction entered. (F. & D. No. 22937. I. S. No. 02819. S. No. 1010.)**

On or about August 7, 1928, the United States attorney for the District of Connecticut, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying seizure and condemnation of 1 barrel of frozen poultry, remaining in the original unbroken package at Hartford, Conn., alleging that the article had been shipped by Swift & Co., Rockford, Ill., on or about July 19, 1928, and transported from the State of Illinois into the State of Connecticut, and charging adulteration in violation of the food and drugs act.

It was alleged in the libel that the article was adulterated in that it consisted in part of a filthy, decomposed, and putrid animal substance, in that it consisted in part of a portion of an animal unfit for food, and in that it was the product of a diseased animal.

On September 25, 1928, the owner of the product having consented to the entry of a decree, judgment of condemnation was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

ARTHUR M. HYDE, *Secretary of Agriculture.*

**16032. Adulteration of butter. U. S. v. 16 Cubes of Butter. Consent decree of condemnation and forfeiture. Product released under bond. (F. & D. No. 22028. I. S. No. 17372-x. S. No. 48.)**

On July 29, 1927, the United States attorney for the Northern District of California, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying seizure and condemnation of 16 cubes of butter, remaining in the original unbroken packages at Oakland, Calif., alleging that the article had been shipped by A. T. McCauley (Inc.), from Portland, Oreg., July 19, 1927, and had been transported from the State of Oregon into the State of California, and charging adulteration in violation of the food and drugs act.

It was alleged in the libel that the article was adulterated in violation of section 7, paragraph 2 under food of said act in that it was deficient in milk fat.

On August 10, 1927, the Oregon City Creamery Co., having appeared as claimant for the property and having consented to the entry of a decree, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be released to the said claimant upon payment of the costs of the proceedings and the execution of a bond in the sum of \$400, conditioned in part that it be made to conform with the law under the supervision of this department.

ARTHUR M. HYDE, *Secretary of Agriculture.*

**16033. Adulteration of figs. U. S. v. 144 Boxes of Black Figs. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 22072. I. S. No. 19604-x. S. No. 117.)**

On September 30, 1927, the United States attorney for the District of Minnesota, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying seizure and condemnation of 144 boxes of black figs, remaining in the original unbroken packages at St. Paul, Minn., alleging that the article had been shipped by the Sunland Sales Cooperative Association, from Fresno, Calif., August 15, 1927, and had been transported from the State of California into the State of Minnesota, and charging adulteration in violation of the food and drugs act.

It was alleged in the libel that the article was adulterated in that it consisted in whole or in part of a filthy, decomposed, and putrid vegetable substance.

On July 9, 1928, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

ARTHUR M. HYDE, *Secretary of Agriculture.*



**16034. Misbranding of tomato paste. U. S. v. 30 Cases of Natural Tomato Paste. Decree of condemnation and forfeiture. Product released under bond. (F. & D. No. 22782. I. S. No. 25802-x. S. No. 813.)**

On May 16, 1928, the United States attorney for the Western District of Texas, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying seizure and condemnation of 30 cases of tomato paste, remaining in the original unbroken packages at San Antonio, Tex., alleging that the article had been shipped by the Uddo Bros. Co., from New Orleans, La., on or about October 28, 1927, and had been transported from the State of Louisiana into the State of Texas, and charging misbranding in violation of the food and drugs act. The article was labeled in part: "Natural Tomato Paste \* \* \* Progreso Brand, Extra Quality Napoli, \* \* \* packed by La Sierra Heights Canning Co., Arlington, California."

It was alleged in the libel that the article was misbranded in that the statement "Natural Tomato Paste" was false and misleading and deceived and misled the purchaser when applied to this product which contained artificial color.

On August 30, 1928, Louis Paletta, San Antonio, Tex., having appeared as claimant for the property and having admitted the allegations of the libel, judgment of condemnation was entered, and it was ordered by the court that the product be released to the said claimant upon payment of the costs of the proceedings and the execution of a bond in the sum of \$200, conditioned in part that it be labeled "Artificially Colored."

ARTHUR M. HYDE, *Secretary of Agriculture.*

**16035. Adulteration of butter. U. S. v. 9 Tubs of Butter. Decree of condemnation and forfeiture entered. Product released upon deposit of collateral. (F. & D. No. 22978. I. S. No. 02456. S. No. 960.)**

On July 10, 1928, the United States attorney for the District of Massachusetts, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying seizure and condemnation of 9 tubs of butter at Boston, Mass., consigned about June 29, 1928, alleging that the article had been shipped by the Collis Products Co., Alma, Wis., and transported from the State of Wisconsin into the State of Massachusetts, and charging adulteration in violation of the food and drugs act.

It was alleged in the libel that the article was adulterated in that a substance containing less than 80 per cent by weight of milk fat had been substituted in whole or in part for butter, which the said article purported to be, the act of Congress approved March 4, 1923, providing that butter shall contain not less than 80 per cent by weight of milk fat.

On July 16, 1928, the Collis Products Co., Alma, Wis., having appeared as claimant for the property and having admitted the allegations of the libel, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be released to the said claimant upon payment of the costs of the proceedings and the deposit of \$100 in lieu of bond, conditioned in part that it be reworked so that it contain at least 80 per cent of butterfat.

ARTHUR M. HYDE, *Secretary of Agriculture.*

**16036. Adulteration of tomato catsup. U. S. v. 85 Cases of Tomato Catsup. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 21912. I. S. No. 13316-x. S. No. E-6131.)**

On May 9, 1927, the United States attorney for the Eastern District of Virginia, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying seizure and condemnation of 85 cases of tomato catsup at Norfolk, Va., alleging that the article had been shipped by the Lancaster Vinegar Co., Lancaster, Pa., on or about October 25, 1926, and had been transported from the State of Pennsylvania into the State of Virginia, and charging adulteration in violation of the food and drugs act.

It was alleged in the libel that the article was adulterated in that it consisted in part of a filthy, decomposed, and putrid vegetable substance.

On July 7, 1927, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

ARTHUR M. HYDE, *Secretary of Agriculture.*

**16037. Adulteration of frozen poultry. U. S. v. 1 Barrel of Frozen Poultry. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 23023. I. S. No. 03003. S. No. 1079.)**

On August 28, 1928, the United States attorney for the Southern District of New York, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying seizure and condemnation of 1 barrel of frozen poultry, remaining in the original unbroken packages at New York, N. Y., alleging that the article had been shipped by the Paden Thompson Produce Co., from Dodge City, Kans., on or about July 5, 1928, and had been transported from the State of Kansas into the State of New York, and charging adulteration in violation of the food and drugs act.

It was alleged in the libel that the article was adulterated in that it consisted in part of a portion of an animal unfit for food, and in that it was the product of a diseased animal.

On September 13, 1928, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

ARTHUR M. HYDE, *Secretary of Agriculture.*

**16038. Adulteration of frozen poultry. U. S. v. 1 Barrel of Frozen Poultry. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 23017. I. S. No. 03005. S. No. 1071.)**

On August 27, 1928, the United States attorney for the Southern District of New York, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying seizure and condemnation of 1 barrel of frozen poultry, remaining in the original unbroken packages at New York, N. Y., alleging that the article had been shipped by Resser & Rabinowitz from Caledonia, Ohio, on or about August 5, 1928, and had been transported from the State of Ohio into the State of New York, and charging adulteration in violation of the food and drugs act.

It was alleged in the libel that the article was adulterated in that it consisted in part of a portion of an animal unfit for food, and in that it was the product of a diseased animal.

On September 13, 1928, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

ARTHUR M. HYDE, *Secretary of Agriculture.*

**16039. Adulteration of frozen poultry. U. S. v. 1 Keg, et al., of Frozen Poultry. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 23026. I. S. Nos. 03017, 03018. S. No. 1117.)**

On August 27, 1928, the United States attorney for the Southern District of New York, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying seizure and condemnation of 2 kegs of frozen poultry, remaining in the original unbroken packages at New York, N. Y., alleging that the article had been shipped by the Topeka Packing Co., from Topeka, Kans., August 18, 1928, and transported from the State of Kansas into the State of New York, and charging adulteration in violation of the food and drugs act.

It was alleged in the libel that the article was adulterated in that it consisted in whole or in part of a filthy, decomposed, or putrid animal substance, in that it consisted in whole or in part of a portion of an animal unfit for food, and in that it was the product of a diseased animal.

On September 13, 1928, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

ARTHUR M. HYDE, *Secretary of Agriculture.*

**16040. Misbranding of butter. U. S. v. 39 Cases of Armour's Cloverbloom, et al. Consent decree of condemnation and forfeiture. Product released under bond. (F. & D. No. 22980. I. S. Nos. 051, 052. S. No. 966.)**

On July 6, 1928, the United States attorney for the Northern District of California, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying seizure and condemnation of 166 cases of butter, remaining in the original unbroken packages at San Francisco, Calif., alleging that the article had been shipped by the Armour Creameries, from Miles City, Mont., June 22, 1928, and transported



from the State of Montana into the State of California, and charging misbranding in violation of the food and drugs act as amended. The article was labeled, variously, in part: (Retail packages) "One Pound Net Weight, Armour's Cloverbloom Pasteurized Creamery Butter;" "Pasteurized Net Weight One Pound, Highest Grade Cloverbloom Brand Creamery Butter, Distributed by Armour & Co.;" "Net Weight Two Pounds, Highest Grade Cloverbloom Brand Creamery Butter, Distributed by Armour & Co.;" "Net Weight Four Ounces Made from Fancy Pasteurized Cream;" "1 Lb. Net Weight. This butter is made from pure pasteurized cream."

Misbranding was alleged in the libel for the reason that the statements, "One Pound Net Weight," "Net Weight One Pound," "Net Weight Two Pounds," "Net Weight Four Ounces," and "1 Lb. Net Weight," as the case might be, borne on the labels, were false and misleading and deceived and misled the purchaser, since the packages contained less than the declared quantity. Misbranding was alleged for the further reason that the article was food in package form and the quantity of the contents was not plainly and conspicuously marked on the outside of the packages, since the quantities stated were not correct.

On July 10, 1928, Armour & Co., having appeared as claimant for the property and having consented to the entry of a decree, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be released to the said claimant upon payment of the costs of the proceedings and the execution of a bond in the sum of \$5,000, conditioned in part that it be made to conform with the provisions of the Federal food and drugs act under the supervision of this department.

ARTHUR M. HYDE, *Secretary of Agriculture.*

**16041. Adulteration of butter. U. S. v. 5 Tubs of Butter. Consent decree of condemnation and forfeiture. Product released upon deposit of collateral. (F. & D. No. 22979. I. S. No. 02455. S. No. 959.)**

On July 10, 1928, the United States attorney for the District of Massachusetts, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying seizure and condemnation of 5 tubs of butter, consigned about June 29, 1928, alleging that the article had been shipped by H. C. Christians, Johnson Creek, Wis., and transported from the State of Wisconsin into the State of Massachusetts, and charging adulteration in violation of the food and drugs act.

It was alleged in the libel that the article was adulterated in that a substance containing less than 80 per cent by weight of milk fat had been substituted in whole or in part for butter, which the article purported to be, the act of Congress approved March 4, 1923, providing that butter should contain not less than 80 per cent by weight of milk fat.

On July 23, 1928, the H. C. Christians Co., Johnson Creek, Wis., having appeared as claimant for the property and having admitted the allegations of the libel, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be released to the said claimant upon payment of the costs of the proceedings and the deposit of \$300 in lieu of bond, conditioned in part that it be reworked so that it contain at least 80 per cent of butterfat.

ARTHUR M. HYDE, *Secretary of Agriculture.*

**16042. Adulteration of frozen poultry. U. S. v. 2 Barrels of Frozen Poultry. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 23015. I. S. No. 03007. S. No. 1070.)**

On August 25, 1928, the United States attorney for the Southern District of New York, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying seizure and condemnation of 2 barrels of frozen poultry, remaining in the original unbroken packages at New York, N. Y., alleging that the article had been shipped by the Lindley Buster Produce Co., from Bucklin, Mo., on or about July 28, 1928, and transported from the State of Missouri into the State of New York, and charging adulteration in violation of the food and drugs act.

It was alleged in the libel that the article was adulterated in that it consisted in part of a decomposed animal substance, in that it consisted in part of a portion of an animal unfit for food, and in that it was the product of a diseased animal.

On September 13, 1928, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

ARTHUR M. HYDE, *Secretary of Agriculture.*

**16043. Adulteration of chicken livers. U. S. v. 7 Cases of Chicken Livers. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 22964. I. S. No. 02824. S. No. 1039.)**

On August 9, 1928, the United States attorney for the Southern District of New York, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying seizure and condemnation of 7 cases of chicken livers, remaining unsold in the original unbroken packages at New York, N. Y., alleging that the article had been shipped by the Cudahy Packing Co., from Kansas City, Mo., on or about July 6, 1928, and had been transported from the State of Missouri into the State of New York, and charging adulteration in violation of the food and drugs act.

It was alleged in the libel that the article was adulterated in that it consisted in part of a filthy, decomposed, or putrid animal substance, in that it consisted in part of a portion of an animal unfit for food, and in that it was the product of a diseased animal.

On August 28, 1928, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

ARTHUR M. HYDE, *Secretary of Agriculture.*

**16044. Adulteration and misbranding of canned cherries. U. S. v. 37 Cases of Canned Cherries, et al. Default decrees of condemnation, forfeiture, and destruction. (F. & D. Nos. 22726, 22768. I. S. Nos. 16339-x, 16342-x. S. Nos. 769, 793.)**

On April 23 and May 9, 1928, respectively, the United States attorney for the Eastern District of Virginia, acting upon reports by the Secretary of Agriculture, filed in the District Court of the United States for said district libels praying seizure and condemnation of 50 cases of canned cherries at Norfolk, Va., consigned by the Edgett-Burnham Co., Newark, N. Y., alleging that the article had been shipped from Newark, N. Y., in part on or about September 10, 1927, and in part on or about September 24, 1927, and had been transported from the State of New York into the State of Virginia, and charging adulteration with respect to all of the product, and misbranding with respect to a portion thereof, in violation of the food and drugs act as amended. The article was labeled in part: "Fairville Brand Pitted Red Sour Cherries, Packed by Edgett-Burnham Company, Newark, New York, Contents 1 lb. 4 Oz."

It was alleged in the libels that the article was adulterated in that it consisted in part of a filthy, decomposed, and putrid vegetable substance.

Misbranding was alleged with respect to a portion of the product for the reason that the statement "Contents 1 lb. 4 oz.," borne on the label, was false and misleading and deceived the purchaser, and for the further reason that the article was food in package form and the quantity of the contents was not plainly and conspicuously marked on the outside of the package.

On September 12, 1928, no claimant having appeared for the property, judgments of condemnation and forfeiture were entered, and it was ordered by the court that the product be destroyed by the United States marshal.

ARTHUR M. HYDE, *Secretary of Agriculture.*

**16045. Adulteration of frozen poultry. U. S. v. 1 Barrel of Frozen Poultry. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 23010. I. S. No. 03012. S. No. 1093.)**

On August 24, 1928, the United States attorney for the Southern District of New York, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying seizure and condemnation of 1 barrel of frozen poultry at New York, N. Y., alleging that the article had been shipped by T. Jensen & Sons, August 9, 1928, from Emporia, Kans., and had been transported from the State of Kansas into the State of New York, and charging adulteration in violation of the food and drugs act.

It was alleged in the libel that the article was adulterated in that it consisted in whole or in part of a filthy, decomposed, or putrid animal substance, in that it consisted in whole or in part of a portion of an animal unfit for food, and in that it was the product of a diseased animal.



On September 7, 1928, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

ARTHUR M. HYDE, *Secretary of Agriculture.*

**16046. Adulteration of frozen poultry. U. S. v. 2 Barrels of Frozen Poultry. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 23021. I. S. No. 03002. S. No. 1078.)**

On August 28, 1928, the United States attorney for the Southern District of New York, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying seizure and condemnation of 2 barrels of frozen poultry, remaining in the original unbroken packages at New York, N. Y., alleging that the article had been shipped by the Falls City Creamery Co., from Falls City, Nebr., on or about August 3, 1928, and had been transported from the State of Nebraska into the State of New York, and charging adulteration in violation of the food and drugs act.

It was alleged in the libel that the article was adulterated in that it consisted in part of a portion of an animal unfit for food, and in that it was the product of a diseased animal.

On September 13, 1928, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

ARTHUR M. HYDE, *Secretary of Agriculture.*

**16047. Misbranding of cottonseed meal. U. S. v. 500 Sacks of Cottonseed Meal. Consent decree of condemnation entered. Product released under bond. (F. & D. No. 22246. I. S. No. 23228-x. S. No. 298.)**

On December 1, 1927, the United States attorney for the Western District of New York, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying seizure and condemnation of 500 sacks of cottonseed meal, remaining in the original unbroken packages at Buffalo, N. Y., alleging that the article had been shipped by the Southern Cotton Oil Co., Montgomery, Ala., November 22, 1927, and transported from the State of Alabama into the State of New York, and charging misbranding in violation of the food and drugs act. The article was labeled in part: "White Mule Brand Cottonseed Meal, \* \* \* Guaranteed Analysis Protein 43 Per Cent."

It was alleged in the libel that the article was misbranded in that the statement "Protein 43 Per Cent," borne on the label, was false and misleading and deceived and misled the purchaser.

On December 9, 1927, the Black Rock Milling Corporation, Black Rock, N. Y., having appeared as claimant for the property and having consented to the entry of a decree, judgment of condemnation was entered, and it was ordered by the court that the product be released to the said claimant upon payment of costs and the execution of a bond in the sum of \$1,000, conditioned in part that it should not be sold or otherwise disposed of contrary to law, and if sold that it be relabeled as containing 41.4 per cent protein.

ARTHUR M. HYDE, *Secretary of Agriculture.*

**16048. Adulteration and misbranding of salad oil. U. S. v. 10 Cartons of Salad Oil, et al. Consent decrees of condemnation and forfeiture. Product released under bond. (F. & D. Nos. 22071, 22655. I. S. Nos. 16772-x, 21465-x. S. Nos. 113, 685.)**

On September 28, 1927, and March 24, 1928, respectively, the United States attorney for the District of Connecticut, acting upon reports by the Secretary of Agriculture, filed in the District Court of the United States for said district libels praying seizure and condemnation of 19 cartons and 29 cans of salad oil, remaining in the original unbroken packages at New Haven, Conn., alleging that the article had been shipped by A. Gash & Co., or A. Gash & Co. (Inc.), New York, N. Y., in various consignments, on or about December 17, 1926, and October 15, December 1, and December 22, 1927, respectively, and had been transported from the State of New York into the State of Connecticut, and charging adulteration and misbranding in violation of the food and drugs act as amended. A portion of the article was labeled in part: "Messina Brand Extra Fine Oil for Salads, Cooking, and Mayonnaise, Net Contents 98% of a Gallon or 7½ lb. Net \* \* \* Messina Brand Oil is a high grade golden corn oil made from the kernel of American Corn \* \* \*." The remainder of the said article was labeled in part: "Messina Brand Extra Fine Oil \* \* \* Net Contents 3-Qts. 1-Pt., 12-Fl. Ozs. Made in U. S. A." (Design in Italian colors.)

Adulteration was alleged in the libel with respect to a portion of the article for the reason that a mixture of corn and cottonseed oil had been substituted in part for the said article, and had been mixed and packed therewith so as to reduce, lower, and injuriously affect its quality and strength.

Misbranding was alleged with respect to the said portion for the reason that the statements, "Messina Brand is a high grade golden corn oil," "Net Contents 98% of a gallon or 7½ lb. net," were false and misleading and deceived and misled purchasers, for the further reason that it was food in package form and the quantity of the contents was not plainly and conspicuously marked on the outside of the package, and for the further reason that it was offered for sale under the distinctive name of another article.

Adulteration was alleged with respect to the remainder of the article for the reason that cottonseed oil had been mixed and packed with and substituted in part for the article.

Misbranding was alleged with respect to the remainder of the article for the reason that the statement "Messina Brand Extra Fine Oil," together with the design in Italian colors, borne on the label, were false and misleading and deceived and misled the purchaser, and for the further reason that it was offered for sale under the distinctive name of another article.

On August 2, 1928, A. Gash & Co. (Inc.), New York, N. Y., claimant, having admitted the allegations of the libels and having consented to the entry of decrees, judgments of condemnation and forfeiture were entered, and it was ordered by the court that the product be released to the said claimant upon payment of the costs of the proceedings and the execution of bonds totaling \$300, conditioned in part that it be poured into barrels and labeled under the supervision of this department.

ARTHUR M. HYDE, *Secretary of Agriculture.*

**16049. Adulteration of oysters. U. S. v. Charles Neubert (Charles Neubert & Co.). Plea of guilty. Fine, \$100 and costs. (F. & D. No. 22559. I. S. Nos. 19310-x, 20595-x.)**

On July 6, 1928, the United States attorney for the District of Maryland, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against Charles Neubert, trading as Charles Neubert & Co., Baltimore, Md., alleging shipment by said defendant, in violation of the food and drugs act, on or about November 21, 1927, from the State of Maryland, in part into the State of Illinois, and in part into the State of Pennsylvania, of quantities of oysters which were adulterated. The article was labeled in part: "Neubert's Oysters \* \* \* Chas. Neubert & Co., Baltimore, Md."

It was alleged in the information that the article was adulterated in that a substance, to wit, water, had been mixed and packed therewith so as to reduce and lower and injuriously affect its quality and strength and had been substituted in part for oysters, which the article purported to be.

On September 17, 1928, the defendant entered a plea of guilty to the information, and the court imposed a fine of \$100 and costs.

ARTHUR M. HYDE, *Secretary of Agriculture.*

**16050. Adulteration of frozen poultry. U. S. v. 1 Barrel of Frozen Poultry. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 22926. I. S. No. 03102. S. No. 992.)**

On July 27, 1928, the United States attorney for the Eastern District of Pennsylvania, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying seizure and condemnation of 1 barrel of frozen poultry, remaining in the original unbroken packages at Philadelphia, Pa., consigned by Lathan & Sons Packing Co., Yates Center, Kans., alleging that the article had been shipped from Yates Center, Kans., on or about July 23, 1928, and transported from the State of Kansas into the State of Pennsylvania, and charging adulteration in violation of the food and drugs act.

It was alleged in the libel that the article was adulterated in that it consisted in whole or in part of a filthy, decomposed, or putrid animal substance, in that it consisted in part of a portion of an animal unfit for food, and in that it was the product of a diseased animal.

On August 20, 1928, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

ARTHUR M. HYDE, *Secretary of Agriculture.*

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# United States Department of Agriculture

FOOD, DRUG, AND INSECTICIDE ADMINISTRATION

## NOTICES OF JUDGMENT UNDER THE FOOD AND DRUGS ACT

[Given pursuant to section 4 of the food and drugs act]

16051-16100

[Approved by the Secretary of Agriculture, Washington, D. C., June 22, 1929]

**16051. Adulteration of frozen poultry. U. S. v. 1 Barrel of Frozen Poultry. Default decree of condemnation, forfeiture, and destruction.** (F. & D. No. 22927. I. S. No. 03101. S. No. 993.)

On July 27, 1928, the United States attorney for the Eastern District of Pennsylvania, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying seizure and condemnation of 1 barrel of frozen poultry, remaining in the original unbroken packages at Philadelphia, Pa., consigned by the Hawkeye Products Co., Corydon, Iowa, alleging that the article had been shipped from the State of Iowa into the State of Pennsylvania, on or about July 17, 1928, and charging adulteration in violation of the food and drugs act.

It was alleged in the libel that the article was adulterated in that it consisted in whole or in part of a filthy, decomposed, or putrid animal substance, in that it consisted in whole or in part of a portion of an animal unfit for food, and in that it was the product of a diseased animal.

On August 20, 1928, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

ARTHUR M. HYDE, *Secretary of Agriculture.*

**16052. Adulteration and alleged misbranding of cocoa. U. S. v. 164 Barrels of Cocoa. Consent decree of condemnation and forfeiture. Product released under bond.** (F. & D. No. 22652. I. S. No. 17884-x. S. No. 693.)

On March 20, 1928, the United States attorney for the Northern District of California, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying seizure and condemnation of 164 barrels of cocoa, remaining in the original unbroken packages at San Francisco, Calif., alleging that the article had been shipped by E. & A. Opler (Inc.), from Seattle, Wash., on or about February 1, 1928, and had been transported from the State of Washington into the State of California, and charging adulteration and misbranding in violation of the food and drugs act. The article was labeled in part: "E. & A. Opler, Inc. \* \* \* Pure Cocoa Chicago, Ill."

It was alleged in the libel that the article was adulterated in that cocoa shell had been mixed and packed with and substituted in part for the said article.

Misbranding was alleged for the reason that the statement "Pure Cocoa" was false and misleading and deceived and misled the purchaser.

On August 6, 1928, Orville C. Hatch, jr., having appeared as claimant for the property and having consented to the entry of a decree, judgment of the court was entered finding the product adulterated and ordering its condemnation and forfeiture, and it was further ordered by the court that the said product be released to the claimant upon payment of the costs of the proceed-

ings and the execution of a bond in the sum of \$1,640, conditioned in part that it be made to conform with the provisions of the law under the supervision of this department.

ARTHUR M. HYDE, *Secretary of Agriculture.*

**16053. Adulteration of canned cherries. U. S. v. 14 Cases of Canned Cherries. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 20248. I. S. No. 17246-v. S. No. E-5429.)**

On July 16, 1925, the United States attorney for the District of Columbia, acting upon a report by the Secretary of Agriculture, filed in the Supreme Court of the district aforesaid holding a District Court, a libel praying seizure and condemnation of 14 cases of canned cherries, remaining in the original unbroken packages at Washington, D. C., alleging that the article was being sold and offered for sale in the original unbroken packages in the District of Columbia, and charging adulteration in violation of the food and drugs act. The article was labeled in part: "Pride of Egypt Brand \* \* \* Red Sour Pitted Cherries Guaranteed and Distributed by Egypt Canning Co., Inc., Egypt, N. Y."

It was alleged in the libel that the article was adulterated in that it consisted in whole or in part of a filthy, decomposed, and putrid vegetable substance.

On October 27, 1926, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

ARTHUR M. HYDE, *Secretary of Agriculture.*

**16054. Misbranding of feed. U. S. v. 75 Bags and 150 Bags of Feed. Decrees of condemnation and forfeiture. Product released under bond. (F. & D. Nos. 22970, 22971. I. S. Nos. 013154, 013155. S. No. 1047.)**

On or about August 10, 1928, the United States attorney for the District of Maryland, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district libels praying seizure and condemnation of 225 bags of feed, remaining in the original unbroken packages at Baltimore, Md., alleging that the article had been shipped by the A. W. Scott Co., from San Francisco, Calif., on or about June 11, 1928, and transported from the State of California into the State of Maryland, and charging misbranding in violation of the food and drugs act. The article was labeled in part: "Atlas Poultry Greens \* \* \* Guaranteed Analysis Protein 20% Min. Fat 2% Min. Fibre 18% Max. Packed by The A. W. Scott Co., \* \* \* San Francisco."

It was alleged in the libels that the article was misbranded in that the statements, "Guaranteed Analysis Protein 20% Min. Fat. 2% Min. Fibre 18% Max.," borne on the label, were false and misleading and deceived and misled the purchaser.

On August 23, 1928, the A. W. Scott Co., San Francisco, Calif., having appeared as claimant for the property, judgments of condemnation and forfeiture were entered, and it was ordered by the court that the product be released to the said claimant upon payment of the costs of the proceedings and the execution of bonds totaling \$300, conditioned in part that it should not be sold or disposed of until plainly and conspicuously labeled to show the correct contents.

ARTHUR M. HYDE, *Secretary of Agriculture.*

**16055. Adulteration of butter. U. S. v. 3 Cubes, et al., of Butter. Consent decree of condemnation and forfeiture. Product released under bond. (F. & D. No. 22018. I. S. No. 17367-x. S. No. 41.)**

On July 22, 1927, the United States attorney for the Northern District of California, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying seizure and condemnation of 8 cubes of butter, remaining in the original unbroken packages at San Francisco, Calif., alleging that the article had been shipped by the Northern Creamery Co., from Great Falls, Mont., July 8, 1927, and had been transported from the State of Montana into the State of California, and charging adulteration in violation of the food and drugs act.

It was alleged in the libel that the article was adulterated in violation of section 7, paragraph 2 of said act, under food in that it was deficient in milk fat.



On July 28, 1927, the Northern Creamery Co., Great Falls, Mont., having appeared as claimant for the property and having consented to the entry of a decree, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be released to the said claimant upon payment of the costs of the proceedings and the execution of a bond in the sum of \$500, conditioned in part that it be made to conform with the law under the supervision of this department.

ARTHUR M. HYDE, *Secretary of Agriculture.*

**16056. Adulteration of frozen poultry. U. S. v. 1 Barrel of Frozen Poultry. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 23096. I. S. No. 03051. S. No. 1191.)**

On September 21, 1928, the United States attorney for the Southern District of New York, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying seizure and condemnation of 1 barrel of frozen poultry, remaining in the original unbroken packages at New York, N. Y., alleging that the article had been shipped by Vilas & Co., from Storm Lake, Iowa, on or about September 8, 1928, and had been transported from the State of Iowa into the State of New York, and charging adulteration in violation of the food and drugs act.

It was alleged in the libel that the article was adulterated in that it consisted in part of a filthy, decomposed, or putrid animal substance, in that it consisted in whole or in part of a portion of an animal unfit for food, and in that it was the product of a diseased animal.

On October 8, 1928, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

ARTHUR M. HYDE, *Secretary of Agriculture.*

**16057. Adulteration and alleged misbranding of cocoa. U. S. v. 154 Barrels of Cocoa. Consent decree of condemnation and forfeiture. Product released under bond. (F. & D. No. 22796. I. S. No. 22557-x. S. No. 832.)**

On May 24, 1928, the United States attorney for the Northern District of California, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying seizure and condemnation of 154 barrels of cocoa, remaining in the original unbroken packages at San Francisco, Calif., alleging that the article had been shipped in interstate commerce from Portland, Oreg., into the State of California, December 22, 1927, and charging adulteration and misbranding in violation of the food and drugs act. The article was labeled in part: "American Brand Pure Cocoa Powder E. & A. Opler, Inc. Chicago."

It was alleged in the libel that the article was adulterated in that a substance, cocoa shell, had been mixed and packed with and substituted wholly or in part for the said article.

Misbranding was alleged for the reason that the statement "Pure Cocoa Powder," borne on the label, was false and misleading and deceived and misled the purchaser.

On September 5, 1928, E. & A. Opler (Inc.), Chicago, Ill., having appeared as claimant for the property and having consented to the entry of a decree, judgment was entered finding the product adulterated and ordering its condemnation and forfeiture, and it was further ordered by the court that the said product be released to the claimant upon payment of costs and the execution of a bond in the sum of \$1,540, conditioned in part that it be made to conform with the Federal food and drugs act under the supervision of this department.

ARTHUR M. HYDE, *Secretary of Agriculture.*

**16058. Adulteration of frozen poultry. U. S. v. 3 Barrels of Frozen Poultry. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 23016. I. S. No. 03006. S. No. 1069.)**

On August 25, 1928, the United States attorney for the Southern District of New York, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying seizure and condemnation of 3 barrels of frozen poultry, remaining in the original unbroken packages at New York, N. Y., alleging that the article had been shipped by T. Jensen & Sons, from Chanute, Kans., on or about August 3, 1928, and had been transported from the State of Kansas into the State of New York, and charging adulteration in violation of the food and drugs act.

It was alleged in the libel that the article was adulterated in that it consisted in part of a decomposed animal substance, in that it consisted in part of a portion of an animal unfit for food, and in that it was the product of a diseased animal.

On September 12, 1928, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

ARTHUR M. HYDE, *Secretary of Agriculture.*

**16059. Adulteration of butter. U. S. v. 12 Tubs of Butter. Decree of condemnation and forfeiture. Product released upon deposit of collateral.** (F. & D. No. 22909. I. S. No. 20997-x. S. No. 934.)

On or about July 2, 1928, the United States attorney for the District of Massachusetts, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying seizure and condemnation of 12 tubs of butter, remaining in the original unbroken packages at Boston, Mass., consigned about June 20, 1928, alleging that the article had been shipped by the Patch Grove Creamery, Bridgeport, Wis., and transported from the State of Wisconsin into the State of Massachusetts, and charging adulteration in violation of the food and drugs act.

It was alleged in the libel that the article was adulterated in that a substance containing less than 80 per cent by weight of milk fat had been substituted in whole or in part for butter, which the said article purported to be, the act of Congress approved March 4, 1923, providing that butter shall contain not less than 80 per cent by weight of milk fat.

On July 6, 1928, the Patch Grove Creamery, Patch Grove, Wis., having appeared as claimant for the property and having admitted the allegations of the libel, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be released to the said claimant upon payment of costs and the deposit of \$700 in lieu of bond, conditioned in part that it be reworked under the supervision of this department, so that it contain at least 80 per cent of butterfat.

ARTHUR M. HYDE, *Secretary of Agriculture.*

**16060. Misbranding of Clear-Tone. U. S. v. 17 Bottles of Clear-Tone. Default decree of condemnation, forfeiture, and destruction.** (F. & D. No. 22995. S. No. 1042.)

On August 17, 1928, the United States attorney for the Southern District of New York, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying seizure and condemnation of 17 bottles of Clear-Tone, remaining in the unbroken packages at New York, N. Y., alleging that the article had been shipped by the J. T. Kennedy Co., Kansas City, Mo., on or about May 10, 1928, and transported from the State of Missouri into the State of New York, and charging misbranding in violation of the food and drugs act as amended.

Analysis of a sample of the article by this department showed that it consisted essentially of calomel and alum, with small amounts of potassium nitrate, camphor, and tannin, alcohol 42 per cent, and water.

It was alleged in the libel that the article was misbranded in that the following statements regarding the curative and therapeutic effects of the said article were false and fraudulent, since it contained no ingredient or combination of ingredients capable of producing the effects claimed: (Carton) "Clear-Tone \* \* \* Pimples, Acne, Eruptions on the face or body \* \* \* Eczema. \* \* \* stops Barbers Itch Immediately. Clear Your Skin. The Regular use of Clear-Tone as a toilet accessory will insure you a complexion free from blemishes and eruptions, and a healthy skin such as Nature intended you to have;" (label) "Clear-Tone \* \* \* Pimples \* \* \* Acne Eruptions on the face or body \* \* \* Eczema;" (directions) "Use this treatment night and morning until the skin troubles disappear, then use it once a day for a while as a preventative;" (circular) "Clear-Tone \* \* \* In various conditions of Skin Troubles \* \* \* I want to have a plain talk with you on the subject of skin troubles and the use of the Clear-Tone Treatment \* \* \*. Some forms of skin affections, especially those of a deep-seated and of a persistent and continuing nature that require positive and determined treatment for a sufficient length of time to accomplish results. If you have had skin troubles for six months or a year, or ten years, it is not reasonable to suppose



that you can get entirely rid of it in a few days, or even a month. The more stubborn your case of skin trouble may be, and the more treatments it has resisted, the more anxious I am for you to use Clear-Tone. \* \* \* let it prove to you that it has merit and will clear up the worst forms of itching and disfiguring skin troubles \* \* \*. If Clear-Tone stops the itching and irritation, and you are gradually improving, the sensible thing to do is to continue the treatment until all symptoms of the trouble have entirely disappeared. One bottle will not give you permanent relief unless you have a very mild case, so just as soon as you see you are improving, get another bottle of Clear-Tone."

On September 12, 1928, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

ARTHUR M. HYDE, *Secretary of Agriculture.*

**16061. Adulteration and misbranding of cocoa. U. S. v. 25 Barrels of Cocoa. Consent decree of condemnation and forfeiture. Product released under bond. (F. & D. No. 22967. I. S. No. 035. S. No. 1030.)**

On August 8, 1928, the United States attorney for the Northern District of California, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying seizure and condemnation of 25 barrels of cocoa, remaining in the original unbroken packages at San Francisco, Calif., alleging that the article had been shipped from Portland, Oreg., June 30, 1928, and transported from the State of Oregon into the State of California, and charging adulteration and misbranding in violation of the food and drugs act. The article was labeled in part: (Barrel) "Smith Lynden Co., San Francisco, Calif. Cunard Cocoa Co.," and was invoiced "Pure Bulk Cocoa."

It was alleged in the libel that the article was adulterated in that a substance, cocoa shells, had been mixed and packed with and substituted in part for the said article.

Misbranding was alleged for the reason that the designation on the invoice, "Pure Cocoa," was false and misleading and deceived and misled the purchaser.

On August 16, 1928, the Smith Lynden Co., San Francisco, Calif., and the Cunard Cocoa Co., Chicago, Ill., having appeared as claimants for the property and having consented to the entry of a decree, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be released to the Smith Lynden Co., upon payment of costs and the execution of a bond in the sum of \$500, conditioned in part that it be made to conform with the provisions of the Federal food and drugs act under the supervision of this department.

ARTHUR M. HYDE, *Secretary of Agriculture.*

**16062. Misbranding (alleged adulteration) of butter. U. S. v. 34 Cubes of Butter. Consent decree of condemnation and forfeiture. Product released under bond. (F. & D. No. 23034. I. S. No. 056. S. No. 1019.)**

On July 16, 1928, the United States attorney for the Northern District of California, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying seizure and condemnation of 34 cubes of butter, remaining in the original unbroken packages at San Francisco, Calif., alleging that the article had been shipped by the Fergus County Creamery (Inc.) Lewiston, Mont., July 2, 1928, and transported from the State of Montana into the State of California, and charging adulteration in violation of the food and drugs act.

It was alleged in the libel that the article was adulterated in that a substance deficient in butterfat had been substituted wholly or in part for the said article, and in that a valuable constituent, namely, butterfat, had been in part abstracted.

On July 21, 1928, the Fergus County Creamery (Inc.), Lewiston, Mont., claimant, having consented to the entry of a decree, judgment was entered finding the product misbranded and ordering its condemnation and forfeiture, and it was further ordered by the court that the product be released to the said claimant upon payment of costs and the execution of a bond in the sum of \$1,200, conditioned in part that it be made to conform with the Federal food and drugs act under the supervision of this department.

ARTHUR M. HYDE, *Secretary of Agriculture.*



**16063. Adulteration of frozen poultry. U. S. v. 1 Barrel of Frozen Poultry. Consent decree of condemnation, forfeiture, and destruction. (F. & D. No. 22950. I. S. No. 02701. S. No. 1012.)**

On August 3, 1928, the United States attorney for the Western District of New York, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying seizure and condemnation of 1 barrel of frozen poultry at Buffalo, N. Y., consigned by the Bellman Produce Co., Sioux Falls, S. Dak., alleging that the article had been shipped from Sioux Falls, S. Dak., on or about January 19, 1928, and transported from the State of South Dakota into the State of New York, and charging adulteration in violation of the food and drugs act.

It was alleged in the libel that the article was adulterated in that it consisted in part of a filthy, decomposed, and putrid animal substance, in that it consisted in part of a portion of an animal unfit for food, and in that it was the product of a diseased animal.

On August 6, 1928, the claimants and owners having consented to the destruction of the product and having paid all costs, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

ARTHUR M. HYDE, *Secretary of Agriculture.*

**16064. Misbranding of butter. U. S. v. 49 Cases of Butter. Consent decree of condemnation and forfeiture. Product released under bond. (F. & D. No. 23073. I. S. No. 062. S. No. 1049.)**

On July 24, 1928, the United States attorney for the Northern District of California, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying seizure and condemnation of 49 cases of butter, remaining in the original unbroken packages at San Francisco, Calif., alleging that the article had been shipped by Swift & Co., from Weiser, Idaho, on or about July 10, 1928, and transported from the State of Idaho into the State of California, and charging misbranding in violation of the food and drugs act as amended. The article was labeled in part: (Wrapper) "Brookfield Pasteurized Creamery Butter \* \* \* Distributed by Swift & Company, \* \* \* Chicago, \* \* \* 2 Lbs. Net Weight."

It was alleged in the libel that the article was misbranded in that the statement "2 Lbs. Net Weight" was false and misleading and deceived and misled the purchaser, since the packages contained lesser quantities. Misbranding was alleged for the further reason that the article was food in package form and the quantity of the contents was not plainly and conspicuously marked on the outside of the package, since the quantity stated was not correct.

On August 6, 1928, Swift & Co., Chicago, Ill., having appeared as claimant for the property and having consented to the entry of a decree, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be released to the said claimant upon payment of costs and the execution of a bond in the sum of \$829, conditioned in part that it be made to conform with the law under the supervision of this department.

ARTHUR M. HYDE, *Secretary of Agriculture.*

**16065. Misbranding of An-A-Cin. U. S. v. 4 Cartons and 150 Boxes of An-A-Cin. Default decrees of condemnation, forfeiture, and destruction. (F. & D. Nos. 22827, 22828. S. Nos. 881, 883.)**

On June 19, 1928, the United States attorney for the District of Maryland, acting upon reports by the Secretary of Agriculture, filed in the District Court of the United States for said district libels praying seizure and condemnation of 4 cartons, each carton containing 45 packages and 150 boxes of An-A-Cin, remaining in the original unbroken packages at Baltimore, Md., alleging that the article had been shipped in part by McNally Bros. warehouse, from New York, N. Y., on or about May 26, 1928, and in part by McNally Bros., from Brooklyn, N. Y., on or about May 30, 1928, and transported from the State of New York into the State of Maryland, and charging misbranding in violation of the food and drugs act as amended.

Analysis of a sample of the article by this department showed that it consisted essentially of acetphenetidin (3 grains per tablet), quinine, acetylsalicylic acid, caffeine, and starch.

It was alleged in the libel that the article was misbranded in that the packages failed to bear a statement on the label of the quantity or proportion of acetphenetidin, a derivative of acetanilide, since, although the statement

"acetphenetidin (acetanilid derivative) 3 gr. per tablet" appeared on the label, it was inconspicuously placed thereon and was in exceedingly small type.

Misbranding was alleged for the further reason that the following statements regarding the curative and therapeutic effects of the article, borne on the label, were false and fraudulent, since it contained no ingredient or combination of ingredients capable of producing the effects claimed: (Tin container) "Usual adult dose for headache, toothache, earache, neuritis, neuralgia, colds, rheumatism \* \* \* and periodical pains, 1 or 2 tablets first followed by 1 tablet each hour or each two hours as required. Sore throat—Dissolve 1 tablet in wineglass of water and gargle. Usual child's dose: Age 4-7 years, one-fourth adult dose; age 8-12 years, one-half adult dose;" (circular) "Without any fear of depressing the heart \* \* \*. It has no depressing action on the heart and can, therefore, be safely administered to children and invalids. \* \* \* without any untoward or ill after-effects or reaction. \* \* \* one of the principal uses of Anacin is for the relief of pain in conditions as headache, the neuralgias, rheumatism, etc. In such conditions one or two tablets should be taken with a little water first and then one tablet every hour until relief is experienced. In such conditions as influenza, common colds, la grippe, Anacin has an antifebrifuge action which means that it will reduce the fever and relieve the symptoms. In the early stages of a cold the administration of Anacin will help to abort the cold and prevent it from developing into something more serious. In such conditions two tablets should be taken with water at the first evidence of the ailment, followed by one tablet every hour until relief is secured."

On September 10, 1928, no claimant having appeared for the property, judgments of condemnation and forfeiture were entered, and it was ordered by the court that the product be destroyed by the United States marshal.

ARTHUR M. HYDE, *Secretary of Agriculture.*

**16066. Adulteration and misbranding of cheese. U. S. v. 10 Cheeses. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 22968. I. S. No. 03138. S. No. 1043.)**

On August 9, 1928, the United States attorney for the District of New Jersey, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying seizure and condemnation of 10 cheeses at Vineland, N. J., alleging that the article had been shipped by Price Bros., Philadelphia, Pa., on or about August 1, 1928, and transported from the State of Pennsylvania into the State of New Jersey, and charging adulteration and misbranding in violation of the food and drugs act.

It was alleged in the libel that the article was adulterated in that a substance deficient in fat and containing excessive moisture had been substituted in part for the article and had been mixed and packed with it so as to reduce, lower, and injuriously affect its quality and strength.

Misbranding was alleged, for the reason that the article was offered for sale under the distinctive name of another article.

On September 24, 1928, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

ARTHUR M. HYDE, *Secretary of Agriculture.*

**16067. Adulteration of apples. U. S. v. 535 Bushels of Apples. Decree of condemnation and forfeiture. Product released under bond. (F. & D. No. 23138. I. S. No. 03172. S. No. 1238.)**

On October 8, 1928, the United States attorney for the Eastern District of Pennsylvania, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying seizure and condemnation of 535 bushels of apples, remaining in the original unbroken packages at Philadelphia, Pa., consigned by Delsea Orchards Co., Glassboro, N. J., alleging that the article had been shipped from Glassboro, N. J., on or about October 3, 1928, and transported from the State of New Jersey into the State of Pennsylvania, and charging adulteration in violation of the food and drugs act.

It was alleged in the libel that the article was adulterated in that it contained added poisonous ingredients, lead and arsenic, which might have rendered it injurious to health.

On October 10, 1928, G. M. MacClelland, Haddenfield, N. J., having appeared as claimant for the property, judgment of condemnation and forfeiture was



entered, and it was ordered by the court that the product be released to the said claimant upon payment of costs and the execution of a bond in the sum of \$500, conditioned in part that the said product be reconditioned under the supervision of this department.

ARTHUR M. HYDE, *Secretary of Agriculture.*

**16068. Adulteration of apple chops. U. S. v. 619 Sacks of Apple Chops. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 21272. I. S. No. 14081-x. S. No. C-5226.)**

On August 30, 1926, the United States attorney for the Northern District of Illinois, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying seizure and condemnation of 619 sacks of apple chops, remaining in the original unbroken packages at Chicago, Ill., alleging that the article had been shipped by Denny & Co., from New Plymouth, Idaho, on March 31, 1926, and transported from the State of Idaho into the State of Illinois, and charging adulteration in violation of the food and drugs act.

It was alleged in substance in the libel that the article was adulterated in that it consisted in part of a substance injurious to health, to wit, arsenic, and in that it contained an added poisonous ingredient, to wit, arsenic, which might have rendered it injurious to health.

On September 12, 1928, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

ARTHUR M. HYDE, *Secretary of Agriculture.*

**16069. Adulteration of raisins. U. S. v. 100 Cases of Raisins. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 22986. I. S. Nos. 0853, 0859. S. No. 1056.)**

On August 14, 1928, the United States attorney for the Eastern District of Louisiana, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying seizure and condemnation of 100 cases of raisins, remaining in the original unbroken packages at New Orleans, La., alleging that the article had been shipped by Rosenberg Bros. & Co., San Francisco, Calif., on or about January 11, 1928, and transported from the State of California into the State of Louisiana, and charging adulteration in violation of the food and drugs act. The article was labeled in part: "25 Lbs. Net Choice Unbleached Thompson Seedless Raisins."

It was alleged in the libel that the article was adulterated in that it consisted in whole or in part of a filthy, decomposed, and putrid vegetable substance.

On October 15, 1928, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

ARTHUR M. HYDE, *Secretary of Agriculture.*

**16070. Adulteration of shell eggs. U. S. v. 10 Cases, et al., of Eggs. Decrees of condemnation and forfeiture. Product released under bond. (F. & D. Nos. 23031, 23076. I. S. Nos. 0863, 0867. S. Nos. 1073, 1111.)**

On or about August 3 and August 8, 1928, respectively, the United States attorney for the Eastern District of Louisiana, acting upon reports by the Secretary of Agriculture, filed in the District Court of the United States for said district libels praying seizure and condemnation of 18 cases of eggs, remaining in the original unbroken packages at New Orleans, La., alleging that the article had been shipped by A. A. Hacker & Co., Brenham, Tex., in part on or about July 31, 1928, and in part on or about August 6, 1928, and transported from the State of Texas into the State of Louisiana, and charging adulteration in violation of the food and drugs act. The article was labeled in part: "From A. A. Hacker & Co. Brenham, Texas."

It was alleged in the libels that the article was adulterated in that it consisted in whole or in part of decomposed eggs.

On August 7 and August 11, 1928, respectively, A. A. Hacker & Co., Brenham, Tex., having appeared as claimant for the property, and having admitted the allegations of the libels, judgments of condemnation and forfeiture were entered, and it was ordered by the court that the product be released to the said claimant upon payment of costs and the execution of bonds totaling \$200, conditioned in part that the bad eggs be separated from the article and destroyed,



and that the product should not be used or disposed of without having been inspected by a representative of this department.

ARTHUR M. HYDE, *Secretary of Agriculture.*

**16071. Misbranding of Bowman's abortion remedy. U. S. v. 7 Boxes of Bowman's Abortion Remedy. Default decree of destruction entered. (F. & D. No. 20141. I. S. No. 23891-v. S. No. C-4751.)**

On June 20, 1925, the United States attorney for the Western District of Missouri, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying seizure and condemnation of 7 boxes of Bowman's abortion remedy, remaining in the original unbroken packages at Sedalia, Mo., alleging that the article had been shipped by the Erick Bowman Remedy Co., from Owatonna, Minn., on or about June 5, 1925, and had been transported from the State of Minnesota into the State of Missouri, and charging misbranding in violation of the food and drugs act as amended.

Analysis of a sample of the article by this department showed that it consisted essentially of brown sugar and a ground wheat product, with a small amount of phenolic body and possible traces of compounds of calcium and sulphur.

The article was labeled in part: (Inside of flap of carton) "Bowman's Abortion Remedy. This package contains one 9½-pound treatment of Bowman's Abortion Remedy. Read the directions carefully before administering."

It was alleged in substance in the libel that the labels on the said boxes, packages, or cartons regarding the curative and therapeutic effects of the article contained therein were false and fraudulent in that the said article contained no ingredient or combination of ingredients capable of producing the curative and therapeutic effects claimed for it in the aforesaid statements.

On October 21, 1925, no claimant having appeared for the property, judgment was entered finding the product misbranded and ordering that it be destroyed by the United States marshal.

ARTHUR M. HYDE, *Secretary of Agriculture.*

**16072. Adulteration and misbranding of butter. U. S. v. Leo W. Williams and Edmund M. Root (Hardwick Creamery). Pleas of guilty. Fine, \$10. (F. & D. No. 19335. I. S. Nos. 16847-v, 16770-v.)**

On April 7, 1925, the United States attorney for the District of Vermont, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against Leo W. Williams and Edmund M. Root, copartners, trading as the Hardwick Creamery, Hardwick, Vt., alleging shipment by said defendants, in violation of the food and drugs act as amended, on or about July 9, 1924, from the State of Vermont into the State of Massachusetts, of quantities of butter which was adulterated and misbranded. A portion of the article was labeled in part: (Package) "Fancy Creamery Butter Pure Cream \* \* \*. This Package Contains Eight Ounces of Butter." The remainder of the said article was labeled in part: (Crate) "H 60 Lbs. Net," (package) "5 Lbs. Net.," and was invoiced as butter.

It was alleged in the information that the article was adulterated in that a product deficient in milk fat had been substituted for butter, which the article purported to be. Adulteration was alleged for the further reason that a product which contained less than 80 per cent by weight of milk fat had been substituted for butter, a product which should contain not less than 80 per cent by weight of milk fat, as prescribed by the act of March 4, 1923, which the said article purported to be.

Misbranding was alleged with respect to a portion of the article for the reason that the statements "Creamery Butter Pure Cream" and "This Package Contains Eight Ounces of Butter," borne on the label, were false and misleading in that the said statements represented that the article consisted wholly of creamery butter and that each of the packages contained 8 ounces thereof, and for the further reason that it was labeled as aforesaid so as to deceive and mislead the purchaser into the belief that it consisted wholly of creamery butter, and that each of said packages contained 8 ounces thereof, whereas it did not consist wholly of creamery butter but did consist of a product deficient in milk fat, and each of said packages did not contain 8 ounces of the article, but did contain a less amount. Misbranding was alleged with respect to the said portion for the further reason that the statement, to wit, "Butter," borne on the label, was false and misleading in that it represented that the

article was butter, to wit, a product which should contain not less than 80 per cent by weight of milk fat, as prescribed by law, whereas it did not contain 80 per cent by weight of milk fat but did contain a less amount. Misbranding was alleged with respect to the remainder of the article for the reason that it was a product deficient in milk fat, prepared in imitation of butter, and was offered for sale and sold under the distinctive name of another article, to wit, butter. Misbranding was alleged for the further reason that the statement, to wit, "60 Lbs. Net," borne on the crates containing the article, and the statement, to wit, "5 Lbs. Net," borne on the packages, were false and misleading in that they represented that each of the said crates contained 60 pounds of butter, and that each of said packages contained 5 pounds thereof, and for the further reason that it was labeled as aforesaid so as to deceive and mislead the purchaser into the belief that each of said crates contained 60 pounds net of butter, and that each of said packages contained 5 pounds net thereof, whereas each of said crates did not contain 60 pounds net of butter but did contain a less amount, and each of said packages did not contain 5 pounds of butter but did contain a less amount. Misbranding was alleged for the further reason that the article was food in package form and the quantity of the contents was not plainly and conspicuously marked on the outside of the package.

On August 11, 1928, the defendants entered pleas of guilty to the information, and the court imposed a fine of \$10.

ARTHUR M. HYDE, *Secretary of Agriculture.*

**16073. Adulteration of frozen poultry. U. S. v. 1 Keg of Frozen Poultry. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 23007. I. S. No. 03013. S. No. 1092.)**

On August 24, 1928, the United States attorney for the Southern District of New York, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying seizure and condemnation of 1 keg of frozen poultry at New York, N. Y., alleging that the article had been shipped by the Topeka Packing Co., from Topeka, Kans., on or about August 10, 1928, and had been transported from the State of Kansas into the State of New York, and charging adulteration in violation of the food and drugs act.

It was alleged in substance in the libel that the article was in violation of section 7 of said act, paragraph 6, in the case of food, in that it consisted in whole or in part of a filthy, decomposed, or putrid animal substance in that it consisted in whole or in part of a portion of an animal unfit for food, and in that it was the product of a diseased animal.

On September 7, 1928, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

ARTHUR M. HYDE, *Secretary of Agriculture.*

**16074. Adulteration of frozen poultry. U. S. v. 2 Barrels, et al., of Frozen Poultry. Default decrees of condemnation, forfeiture, and destruction. (F. & D. Nos. 23004, 23019, 23020. I. S. Nos. 03010, 03011, 03014, 03015. S. Nos. 1090, 1103, 1105.)**

On August 22 and August 27, 1928, respectively, the United States attorney for the Southern District of New York, acting upon reports by the Secretary of Agriculture, filed in the District Court of the United States for said district libels praying seizure and condemnation of 5 barrels of frozen poultry, remaining in the original unbroken packages at New York, N. Y., alleging that the article had been shipped by Edward Aaron (Inc.), in various lots, from Butler, Mo., and Lamar, Mo., on or about August 9, 1928, and from Drexel, Mo., and Fort Scott, Kans., on or about August 15, 1928, and had been transported from the States of Missouri and Kansas, respectively, into the State of New York, and charging adulteration in violation of the food and drugs act.

It was alleged in the libels that the article was adulterated, in that it consisted in part of a portion of an animal unfit for food, and in that it was the product of a diseased animal. Adulteration was alleged with respect to a portion of the product for the further reason that it consisted in part of a filthy, decomposed, or putrid animal substance.

On September 7 and September 13, 1928, respectively, no claimant having appeared for the property, judgments of condemnation and forfeiture were entered, and it was ordered by the court that the product be destroyed by the United States marshal.

ARTHUR M. HYDE, *Secretary of Agriculture.*



**16075. Adulteration and misbranding of tablets *Bacillus bulgaricus*. U. S. v. 33 Packages of Tablets *Bacillus Bulgaricus*. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 23025. I. S. No. 0861. S. No. 1118.)**

On or about August 27, 1928, the United States attorney for the Eastern District of Louisiana, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying seizure and condemnation of 33 packages of tablets *Bacillus bulgaricus*, remaining in the original unbroken packages at New Orleans, La., alleging that the article had been shipped by Fairchild Bros. & Foster, New York, N. Y., July 26, 1928, and transported from the State of New York into the State of Louisiana, and charging adulteration and misbranding in violation of the food and drugs act.

It was alleged in the libel that the article was adulterated in that its strength or purity fell below the professed standard or quality under which it was sold.

Misbranding was alleged for the reason that the following statements on the carton and in the circular were false and misleading: (Carton) "Tablet of the *Bacillus Bulgaricus*. Contains the true *Bacillus Bulgaricus* \* \* \* preserved in a stable, potent form;" (circular) "Tablet of the *Bacillus Bulgaricus*. Contains the true *Bacillus Bulgaricus* \* \* \* conserved in a stable form. It is rigidly standardized, potency guaranteed for the time stamped upon the label."

On October 15, 1928, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

ARTHUR M. HYDE, *Secretary of Agriculture*.

**16076. Adulteration of unicorn root. U. S. v. 223 Pounds of Unicorn Root. Default order of confiscation and destruction entered. (F. & D. No. 22802. I. S. No. 14350-x. S. No. 838.)**

On June 4, 1928, the United States attorney for the Southern District of Indiana, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying seizure and condemnation of 223 pounds of unicorn root, remaining in the original unbroken packages at Indianapolis, Ind., alleging that the article had been shipped by Sig Wallace, from Statesville, N. C., and transported from the State of North Carolina into the State of Indiana, and charging adulteration in violation of the food and drugs act.

Analysis of a sample taken from this consignment showed that it yielded approximately 30 per cent acid-insoluble ash. The National Formulary provides that alettris (unicorn root) shall yield not more than 10 per cent of acid-insoluble ash.

It was alleged in the libel that the article was adulterated in that it was sold under a name recognized in the National Formulary and differed from the standard of strength, quality, and purity as determined by the test laid down therein.

On October 13, 1928, no claimant having appeared for the property, judgment of confiscation was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

ARTHUR M. HYDE, *Secretary of Agriculture*.

**16077. Adulteration and misbranding of Bacid tablets. U. S. v. 5 Dozen Packages of Bacid Tablets. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 22938. I. S. No. 0101. S. No. 1022.)**

On August 2, 1928, the United States attorney for the Northern District of California, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying seizure and condemnation of 5 dozen packages of Bacid tablets, remaining in the original unbroken packages at San Francisco, Calif., consigned by the Arlington Chemical Co., Yonkers, N. Y., alleging that the article had been shipped from Yonkers, N. Y., on or about July 9, 1928, and transported from the State of New York into the State of California, and charging adulteration and misbranding in violation of the food and drugs act. The article was labeled in part: (Carton and bottle) "50 Bacid Tablets (*Bacillus Acidophilus*) \* \* \* Expires Sept. 29, 1928;" (circular) "Bacid Tablets \* \* \* Contain a highly antiputrefactive and specially selected strain of the *Bacillus acidophilus*, native to the human intestine, in health, and are therefore peculiarly suitable for intestinal



therapy. Acid preparations are prepared under the most exacting scientific control, being rigidly standardized as to viability, purity, and strength."

It was alleged in the libel that the article was adulterated in that its strength fell below the professed standard under which it was sold.

Misbranding was alleged for the reason that the statements on the carton and bottle label "*Bacillus Acidophilus*," and the statements in the circular "Specially selected strain of the *Bacillus acidophilus*" and "Rigidly Standardized as to viability, purity, and strength" were false and misleading.

On September 13, 1928, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

ARTHUR M. HYDE, *Secretary of Agriculture*.

**16078. Adulteration of frozen poultry. U. S. v. 1 Barrel of Frozen Poultry. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 23095. I. S. No. 03052. S. No. 1192.)**

On September 21, 1928, the United States attorney for the Southern District of New York, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying seizure and condemnation of 1 barrel of frozen poultry, remaining in the original unbroken packages at New York, N. Y., alleging that the article had been shipped by the Henderson Produce Co., from Monroe City, Mo., September 13, 1928, and had been transported from the State of Missouri into the State of New York, and charging adulteration in violation of the food and drugs act.

It was alleged in the libel that the article was adulterated in that it consisted in whole or in part of a filthy, decomposed, or putrid animal substance, in that it consisted in whole or in part of a portion of an animal unfit for food, and in that it was the product of a diseased animal.

On October 8, 1928, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

ARTHUR M. HYDE, *Secretary of Agriculture*.

**16079. Adulteration and misbranding of Giles magic lotion and blood purifier. U. S. v. 24 Gallons and 24 Quarts of Giles Magic Lotion & Blood Purifier. Default decree of destruction entered. (F. & D. No. 22832. I. S. No. 22405-x. S. No. 890.)**

On or about June 29, 1928, the United States attorney for the Southern District of California, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying seizure and condemnation of 24 gallons and 24 quarts of Giles magic lotion and blood purifier, remaining in the original unbroken packages at Los Angeles, Calif., consigned by the Giles Remedy Co., Chicago, Ill., alleging that the article had been shipped from Chicago, Ill., in part on or about November 23, 1927, and in part on or about January 24, 1928, and had been transported from the State of Illinois into the State of California, and charging adulteration and misbranding in violation of the food and drugs act as amended.

Chemical analysis of a sample of the article by this department showed that it consisted essentially of camphor and ether dissolved in linseed oil; bacteriological examination showed that it was not antiseptic or germicidal.

It was alleged in the libel that the article was adulterated in that its strength or purity fell below the professed standard of quality under which it was sold in that the description on the tin container stated, "Germicide, Antiseptic," whereas a chemical examination of the ingredients of the article showed that it was not antiseptic or germicidal, even when undiluted.

Misbranding was alleged for the reason that the following statements, borne on the label, were false and misleading and calculated to mislead the purchaser, "Guaranteed by Giles Remedy Co. to contain no poisonous drugs or deleterious matter, Germicide, Antiseptic. No danger from an overdose," in that a chemical analysis of the product showed that one of the ingredients was camphor, which, when mixed with the other ingredients therein contained, was capable of producing poisonous substances. Misbranding was alleged for the further reason that the following statements, borne in the labeling, regarding the curative and therapeutic effect of the article were false and fraudulent and calculated to deceive the purchaser in that the said article contained no ingredient or combination of ingredients capable of producing the effects claimed: "Blood Purifier, Tonic and blood purifier for both internal and external use. For the preven-

tion and Treatment of all Diseases of Germ Origin Affecting Horses and Cattle, Prevents and Removes Congestion—the one disease; dispels fever and Inflammation and other complications most promptly and effectually with no Bad After Effect. Strengthens the Heart. For the Treatment of Chills, Coughs, Colds, Sore Throat, Shipping Fever, Distemper, Catarrhal Fever, Enteric Fever, Influenza and Complications, Spasmodic and Flatulent Colic, Inflammation of the Stomach, Bowels, Kidneys, or Bladder; Indigestion, etc. \* \* \* Remedy. Seriousness of the case \* \* \* fever \* \* \*. Continue administering by the mouth until a satisfactory temperature is induced. In acute ailments, quickest and most economical results are obtained by liberal use of 'Giles' at the start. Coughs, Colds \* \* \* Colic \* \* \* Chills \* \* \* as a Tonic Conditioner. For loss of appetite, nervous indigestion, impaired wind, palpitation or weakness, give constitutional treatment of two or three 2-ounce doses per day and rectal injection once a day. It should be applied as promptly as possible to the injured part or to the immediate vicinity of internal trouble. To the chest and sides; to the abdomen between the legs in bowel, kidney, and bladder affections; to strains and bruises, liberally with considerable friction; to fresh wounds sparingly to antiseptise; to the seat of abscesses on oakum well saturated; to the coronet in case of soreness in the feet by means of a soaking boot and oakum; in the eye full strength by means of a small, soft sponge (care being taken to get it well into the eye) and liberally to the throat in case of sore throat; well rubbed in. Be sure that the part is dry before applying and use no water in connection with it under any circumstances. Remedy \* \* \* benefiting another, but strengthens the entire system \* \* \* Conditioner."

On August 22, 1928, no claimant having appeared for the property, judgment was entered finding the product adulterated and misbranded, and it was ordered by the court that it be destroyed by the United States marshal.

ARTHUR M. HYDE, *Secretary of Agriculture.*

**16050. Adulteration and misbranding of Odol. U. S. v. 19 Dozen Bottles of Odol. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 22952. S. No. 1003.)**

On August 3, 1928, the United States attorney for the Eastern District of Pennsylvania, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying seizure and condemnation of 19 dozen bottles of Odol, remaining in the original unbroken packages at Philadelphia, Pa., consigned by the Odol Corporation, New York, N. Y., alleging that the article had been shipped from New York, N. Y., on or about May 11, 1928, and had been transported from the State of New York into the State of Pennsylvania, and charging adulteration and misbranding in violation of the food and drugs act as amended.

Analysis of a sample of the article by this department showed that it consisted essentially of alcohol (78 per cent), salol, and water, flavored with volatile oils, including peppermint oil. Bacteriological examination showed that in the dilution mentioned in the directions for use the article did not destroy common disease-producing bacteria within five minutes.

It was alleged in the libel that the article was adulterated in that its strength fell below the professed standard under which it was sold, viz: "Antiseptic \* \* \* Europe's leading antiseptic \* \* \* Highly effective \* \* \* Germ-destroying liquid such as Odol."

Misbranding was alleged for the reason that the following statements upon the label were false and misleading: "Antiseptic \* \* \*. For nearly forty years Odol has been Europe's leading antiseptic \* \* \*. It is \* \* \* highly effective. Use Odol \* \* \* especially at night before retiring. While sleeping germs do their most destructive work." Misbranding was alleged for the further reason that the following statements regarding the curative and therapeutic effects of the article were false and fraudulent, since the said article contained no ingredient or combination of ingredients capable of producing the effects claimed: "For the \* \* \* Mouth, Throat, and Breath. The world's famous \* \* \* Healing \* \* \* Mouthwash \* \* \*. It Purifies \* \* \*. Prevention of pyorrhea—sore and bleeding gums—sore throat—mouth ulcer—Purifying the Breath \* \* \* for the mouth and throat \* \* \*. They do not reach the gums, inner cheeks, tongue, throat, and many other corners, crevices, and cavities, commonly referred to as germ incubators. These parts need a germ-destroying, lasting, soothing liquid such as Odol. Most germs of disease enter the body thru the mouth. Protect and keep it clean with Odol—Health's best safeguard \* \* \*. While sleeping germs do their most destructive work."



On August 30, 1928, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the production be destroyed by the United States marshal.

ARTHUR M. HYDE, *Secretary of Agriculture*.

**16081. Adulteration and misbranding of crabapple jelly, grape jelly, and cherry preserve. U. S. v. White Gate Products Co. Plea of guilty. Fine, \$120. (F. & D. No. 22582. I. S. Nos. 7392-x, 7395-x, 7396-x.)**

On or about October 22, 1928, the United States attorney for the Southern District of New York, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against the White Gate Products Co., a corporation, New York, N. Y., alleging shipment by said company, in violation of the food and drugs act, from the State of New York into the State of Virginia, on or about May 12, 1926, of quantities of crabapple jelly and grape jelly, and on or about May 14, 1926, and October 18, 1926, respectively, of quantities of cherry preserve, which said products were adulterated and misbranded. The articles were labeled in part: "Pure Crabapple Jelly (or "Pure Grape Jelly" or "Pure Cherry Preserve") The White Gate Products Co., N. Y. C."

Adulteration of the crabapple jelly and the grape jelly was alleged in the information for the reason that acidified pectin jellies deficient in fruit juice had been mixed and packed therewith so as to reduce and lower and injuriously affect the quality and strength of the said articles and had been substituted in part for pure crabapple jelly and pure grape jelly, respectively, which the articles purported to be. Adulteration was alleged with respect to the said crabapple jelly and grape jelly for the further reason that they were mixed and colored in a manner whereby damage and inferiority were concealed. Adulteration of the cherry preserve was alleged for the reason that a substance, to wit, added acidified pectin jelly, had been mixed and packed therewith so as to reduce and lower and injuriously affect its quality and strength, and had been substituted in part for pure cherry preserve, which the article purported to be.

Misbranding was alleged for the reason that the statements, "Pure Crabapple Jelly," "Pure Grape Jelly," and "Pure Cherry Preserve," borne on the glass jars containing the respective articles, were false and misleading in that said statements represented that the articles were pure crabapple jelly, pure grape jelly, or pure cherry preserve, as the case might be, and for the further reason that the articles were labeled as aforesaid so as to deceive and mislead the purchaser into the belief that they were pure crabapple jelly, pure grape jelly, or pure cherry preserve, as the case might be, whereas they were not; but the said crabapple jelly and grape jelly were products composed in part of acidified pectin jelly deficient in fruit juice, and the said cherry preserve was a product composed in part of added acidified pectin jelly. Misbranding was alleged for the further reason that the articles were imitations of and were offered for sale under the distinctive names of other articles.

On November 19, 1928, a plea of guilty to the information was entered on behalf of the defendant company, and the court imposed a fine of \$120.

ARTHUR M. HYDE, *Secretary of Agriculture*.

**16082. Misbranding of tomato catsup. U. S. v. 18 Cases of Tomato Catsup. Consent decree of condemnation and destruction entered. (F. & D. No. 22956. I. S. No. 01928. S. No. 1024.)**

On August 3, 1928, the United States attorney for the Southern District of Iowa, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying seizure and condemnation of 18 cases of tomato catsup, remaining unsold in the original packages at Des Moines, Iowa, alleging that the article had been shipped by the Morgan Packing Co., from Austin, Ind., on or about June 23, 1928, and transported from the State of Indiana into the State of Iowa, and charging misbranding in violation of the food and drugs act. The article was labeled in part: (Bottle) "Scott Co. Brand Tomato Catsup, Morgan Packing Co., Austin, Ind."

It was alleged in substance in the libel that artificial coloring was present in the article, and that it was misbranded in that the designation "Tomato Catsup" was false and misleading and deceived and misled the purchaser. Misbranding was alleged for the further reason that the article was offered for sale under the distinctive name of another article.



On October 29, 1928, the Morgan Packing Co., Austin, Ind., having entered an appearance and having consented to the entry of a decree, judgment of condemnation and confiscation was entered, and it was ordered by the court that the product be destroyed by the United States marshal, and that said Morgan Packing Co. pay the costs of the proceedings.

ARTHUR M. HYDE, *Secretary of Agriculture.*

**16083. Adulteration of dressed poultry. U. S. v. 1 Keg of Dressed Poultry. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 23165. I. S. No. 03057. S. No. 1268.)**

On October 27, 1928, the United States attorney for the Southern District of New York, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying seizure and condemnation of 1 keg of dressed poultry, remaining in the original unbroken package at New York, N. Y., alleging that the article had been shipped by the Topeka Packing Co., from Topeka, Kans., on or about October 12, 1928, and transported from the State of Kansas into the State of New York, and charging adulteration in violation of the food and drugs act.

It was alleged in the libel that the article was adulterated in that it consisted in part of a decomposed animal substance, in that it consisted in part of a portion of an animal unfit for food, and in that it was the product of a diseased animal.

On November 16, 1928, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

ARTHUR M. HYDE, *Secretary of Agriculture.*

**16084. Adulteration of frozen poultry. U. S. v. 1 Barrel of Frozen Poultry. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 23164. I. S. No. 03058. S. No. 1267.)**

On October 27, 1928, the United States attorney for the Southern District of New York, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying seizure and condemnation of 1 barrel of frozen poultry, remaining in the original unbroken package at New York, N. Y., alleging that the article had been shipped by Hoffman & Mayer (Inc.), and Union Terminal Cold Storage Co., from Jersey City, N. J., on or about September 27, 1928, and transported from the State of New Jersey into the State of New York, and charging adulteration in violation of the food and drugs act.

It was alleged in the libel that the article was adulterated in that it consisted in part of a decomposed animal substance, in that it consisted in part of a portion of an animal unfit for food, and in that it was the product of a diseased animal.

On November 16, 1928, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

ARTHUR M. HYDE, *Secretary of Agriculture.*

**16085. Adulteration of canned cherries. U. S. v. 171 Cases of Canned Cherries. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 23143. I. S. No. 03143. S. No. 1242.)**

On October 15, 1928, the United States attorney for the Eastern District of Pennsylvania, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying seizure and condemnation of 171 cases of canned cherries, remaining in the original unbroken packages at Lancaster, Pa., consigned by F. B. Huxley & Son, Ontario, N. Y., alleging that the article had been shipped from Ontario, N. Y., on or about July 31 and August 8, 1928, and transported from the State of New York into the State of Pennsylvania, and charging adulteration in violation of the food and drugs act. The article was labeled in part: "Huxson Brand Pitted Red Sour Cherries \* \* \* Packed by F. B. Huxley & Son, Ontario, N. Y."

It was alleged in the libel that the article was adulterated in that it consisted in part of a filthy, decomposed vegetable substance.

On November 9, 1928, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

ARTHUR M. HYDE, *Secretary of Agriculture.*

**16086. Adulteration of dressed poultry. U. S. v. 1 Barrel, et al., of Dressed Poultry. Default decrees of condemnation, forfeiture, and destruction.** (F. & D. Nos. 23166, 23167, 23168. I. S. Nos. 03054, 03055, 03056. S. No. 1269.)

On October 30, 1928, the United States attorney for the Southern District of New York, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district libels praying seizure and condemnation of 4 barrels of dressed poultry at New York, N. Y., alleging that the article had been shipped by Hurst & Majors, from Manhattan, Kans., in various consignments, on or about October 3, October 9, and October 13, 1928, respectively, and transported from the State of Kansas into the State of New York, and charging adulteration in violation of the food and drugs act.

Adulteration was alleged in the libel with respect to a portion of the article for the reason that it consisted in part of a decomposed animal substance not fit for human consumption. Adulteration was alleged with respect to a second portion of the article for the reason that it consisted in part of a decomposed animal substance and in that it was the product of a diseased animal. Adulteration was alleged with respect to a third portion of the article for the reason that it consisted in part of a decomposed animal substance, in that it consisted in part of a portion of an animal unfit for food, and in that it was the product of a diseased animal.

On November 16, 1928, no claimant having appeared for the property, judgments of condemnation and forfeiture were entered, and it was ordered by the court that the product be destroyed by the United States marshal.

ARTHUR M. HYDE, *Secretary of Agriculture.*

**16087. Adulteration and misbranding of Lee's Creo-Lyptus. U. S. v. 75 Dozen Bottles of Lee's Creo-Lyptus. Decree of forfeiture entered. Product released under bond.** (F. & D. No. 23118. S. No. 1209.)

On October 4, 1928, the United States attorney for the Southern District of Georgia, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying seizure and condemnation of 75 dozen bottles of Lee's Creo-Lyptus, remaining in the original unbroken packages at Savannah, Ga., alleging that the article had been shipped by Walter Janvier (Inc.), from New York, N. Y., on or about July 23, 1928, and transported from the State of New York into the State of Georgia, and charging adulteration and misbranding in violation of the food and drugs act as amended.

Analysis of a sample of the article by this department showed that it consisted essentially of ammonium chloride, chloroform, extracts of plant drugs, traces of volatile oils, a possible trace of creosote, sugar, alcohol, and water.

It was alleged in the libel that the article was adulterated in that its strength fell below the professed standard under which it was sold, namely, (display card) "On account of its antiseptic action on the lungs, an active germicide, and an antiseptic," since the said article had no antiseptic action on the lungs, was not an active germicide, and was not an antiseptic.

Misbranding was alleged for the reason that the following statements, borne on the labels, were false and misleading: (Bottle label) "Creo \* \* \* An emulsified Creosote, Eucalyptus, and pine preparation \* \* \* Contents of this package are guaranteed to comply with all Federal and State Pure Food Laws," (poster) "Creo \* \* \* An emulsified Creosote, Eucalyptus, and Pine preparation," (display card) "Creo."

Misbranding was alleged for the further reason that the following statements regarding the curative and therapeutic effects of the article were false and fraudulent, since it contained no ingredient or combination of ingredients capable of producing the effects claimed: (Display card) "For Coughs, Colds, and Bronchial Congestion, Quick Relief to Persistent and Chronic Cases \* \* \* Spasmodic Croup and Whooping Cough \* \* \* Stops Coughs in 5 Minutes; Creosote—It is used in the treatment of tuberculosis, pneumonia, and bronchitis \* \* \* Creosote was originally introduced in the treatment of tuberculosis on account of its antiseptic action on the lungs. Its beneficial influence in this disease can be ascribed to its stimulating effect on the bronchial mucous membrane. For this action it is also a very valuable drug in the treatment of all types of chronic bronchitis. It is considered very reliable in the treatment of chronic inflammation of the air passages. Creosote if taken over a short period of time is taken in the blood tract and carried to the lungs, saturating them to the extent that it is next to impossible for pneu-



monia germs to exist. \* \* \* used as an expectorant in bronchitis and Spasmodic Croup \* \* \* an active germicide \* \* \* an antiseptic especially in the treatment of infections of the upper respiratory tract, and \* \* \* in chronic bronchitis and tuberculosis. It has been especially praised in asthma. \* \* \* in the treatment of Asthma and Bronchitis where there is a tendency to dyspnoea (difficult or labored breathing) and bronchial spasm. In chronic bronchitis of aged persons it is particularly salutary. It has been especially useful in the treatment of Whooping Cough and Spasmodic Croup. \* \* \* asserted in the treatment of Catarrhal affections, Coughs, Colds, Croup, Whooping Cough, Asthma, etc.;" (poster) "Stop that Cough, Cold, or Croup, quickly relieves persistent Coughs, Colds, Spasmodic Croup, Bronchial Asthma, Whooping Cough. Prevents Pneumonia;" (bottle label) "Quickly relieves persistent Coughs, Colds, Spasmodic Croup, Bronchial Congestion, Whooping Cough \* \* \* until relieved \* \* \* For whooping cough and croup \* \* \* Creo-Lyptus should be taken regularly according to directions as long as cough is evident. Inflamed tissues are quickly relieved \* \* \*. For better results in Severe cases."

On October 19, 1928, the Creo-Lyptus Co. (Inc.), having appeared as claimant for the property and having admitted the allegations of the libel, judgment of forfeiture was entered, and it was ordered by the court that the product be released to the said claimant upon payment of costs and the execution of a bond in the sum of \$500, conditioned in part that it be relabeled so as to comply with the Federal food and drugs act.

ARTHUR M. HYDE, *Secretary of Agriculture.*

**16088. Misbranding of butter. U. S. v. 76 Cases of Butter. Decree of condemnation and forfeiture. Product released under bond. (F. & D. No. 23187. I. S. Nos. 0843, 0844. S. No. 1212.)**

On or about September 14, 1928, the United States attorney for the Eastern District of Louisiana, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying seizure and condemnation of 76 cases of butter, remaining in the original unbroken packages at New Orleans, La., alleging that the article had been shipped by the Manning Creamery Co., Manning, Iowa, on or about September 8, 1928, and transported from the State of Iowa into the State of Louisiana, and charging misbranding in violation of the food and drugs act as amended. A portion of the article was labeled: (Shipping cases) "Quarters," and invoiced as "705#-1/4# P. W." The remainder of the said article was labeled in part: (Shipping cases) "Quarters," (retail carton) "Pfeifer's Elegant Creamery Butter Quarter Prints One Pound Net Farmers Co-operative Creamery Co."

It was alleged in the libel that the article was misbranded in that the statement "Quarters," appearing on the shipping cases, and the invoicing as "750#-1/4# P. W.," with respect to a portion of the product, and the statements, "Quarters," appearing on the shipping cases and "One Pound Net," appearing on the retail cartons, with respect to the remainder of the product, were false and misleading and deceived and misled the purchaser. Misbranding was alleged for the further reason that the article was food in package form and the quantity of the contents was not plainly and conspicuously marked on the outside of the package, since the quantities stated on the packages were not correct.

On September 24, 1928, Gerde, Newman & Co., New Orleans, La., having appeared as claimant for the property and having admitted the allegations of the libel, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be released to the said claimant upon payment of costs and the execution of a bond in the sum of \$1,500, conditioned in part that it be repacked in half tubs of approximately 32 pounds net weight, and should not be used, sold, or disposed of without having been inspected by a representative of this department.

ARTHUR M. HYDE, *Secretary of Agriculture.*

**16089. Adulteration and misbranding of tablets Bacillus bulgaricus. U. S. v. 30 Packages of Tablets Bacillus Bulgaricus. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 23109. I. S. No. 0873. S. No. 1203.)**

On September 28, 1928, the United States attorney for the Eastern District of Louisiana, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying seizure



and condemnation of 30 packages of tablets *Bacillus bulgaricus*, remaining in the original unbroken packages at New Orleans, La., alleging that the article had been shipped by Fairchild Bros. & Foster, New York, N. Y., on or about August 6, 1928, and transported from the State of New York into the State of Louisiana, and charging adulteration and misbranding in violation of the food and drugs act as amended.

It was alleged in the libel that the article was adulterated in that its strength or purity fell below the professed standard or quality under which it was sold, namely, "Tablets of the *Bacillus Bulgaricus*. Contains the true *Bacillus Bulgaricus* \* \* \* preserved in a stable, potent form."

Misbranding was alleged for the reason that the following statements appearing upon and within the packages were false and misleading: (Carton) "Tablet of the *Bacillus Bulgaricus*. Contains the true *Bacillus Bulgaricus* preserved in a stable potent form;" (circular) "Tablet of the *Bacillus Bulgaricus*. Contains the true *Bacillus Bulgaricus* conserved in a stable form \* \* \* It is rigidly standardized, potency guaranteed for the time stamped upon the label."

On November 20, 1928, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

ARTHUR M. HYDE, *Secretary of Agriculture*.

**16090. Misbranding of alfalfa meal. U. S. v. 4 Sacks of Alfalfa Meal. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 23126. I. S. No. 02661. S. No. 1234.)**

On October 8, 1928, the United States attorney for the Western District of New York, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying seizure and condemnation of 4 sacks of alfalfa meal, remaining in the original unbroken packages at Buffalo, N. Y., alleging that the article had been shipped by the Pecos Valley Alfalfa Mill Co., Hagerman, N. Mex., August 1, 1928, and transported from the State of New Mexico into the State of New York, and charging misbranding in violation of the food and drugs act. The article was labeled in part: "Alfalfa Meal 100 Lbs. Net When Packed, Made by The Pecos Valley Alfalfa Mill Company, Hagerman, New Mexico, Guaranteed Analysis: Protein 12%, Fibre 35%, Made From Alfalfa Hay."

It was alleged in the libel that the article was misbranded in that the statements, "Guaranteed Analysis Protein 12%, Fibre 35%," were false and misleading and deceived and misled the purchaser.

On November 12, 1928, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

ARTHUR M. HYDE, *Secretary of Agriculture*.

**16091. Misbranding of poultry greens. U. S. v. 1000 Sacks of Atlas Poultry Greens. Decree of condemnation entered. Product released under bond. (F. & D. No. 23120. I. S. No. 0157. S. No. 1223.)**

On October 5, 1928, the United States attorney for the District of Maryland, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying seizure and condemnation of 1,000 sacks of Atlas poultry greens, remaining in the original unbroken packages at Baltimore, Md., alleging that the article had been shipped by the A. W. Scott Co., from San Francisco, Calif., on or about September 22, 1928, and transported from the State of California into the State of Maryland, and charging misbranding in violation of the food and drugs act. The article was labeled in part: "Atlas Poultry Greens Made from Fancy Ground Alfalfa \* \* \* Guaranteed Analysis—Protein 20% Min., Fibre 18% Max. \* \* \* The A. W. Scott Co., \* \* \* San Francisco, Calif."

It was alleged in the libel that the article was misbranded in that the statements, "Guaranteed Analysis—Protein 20% Min., Fibre 18% Max.," borne on the label, were false and misleading and deceived and misled the purchaser, when applied to a product containing less protein and more fiber than that stated in the labeling.

On November 7, 1928, the A. W. Scott Co., San Francisco, Calif., having appeared as claimant for the property, judgment of condemnation was entered, and it was ordered by the court that the product be released to the said claimant upon payment of costs and the execution of a bond in the sum of

\$5,000, conditioned in part that it should not be sold or disposed of until relabeled to show the correct contents.

ARTHUR M. HYDE, *Secretary of Agriculture.*

**16092. Adulteration and misbranding of ampuls of Endoquin (quinine hydrochloride), Endoferarsan with glycerophosphates (iron arsenic and glycerophosphates), Endoferarsan (iron and arsenic), and emetine hydrochloride. U. S. v. Intravenous Products Co. of America (Inc.). Plea of guilty. Fine, \$200. (F. & D. No. 22577, I. S. Nos. 14831-x, 16037-x, 16038-x, 16039-x.)**

On October 15, 1928, the United States attorney for the Southern District of New York, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against the Intravenous Products Co. of America (Inc.), a corporation, New York, N. Y., alleging shipment by said company, in violation of the food and drugs act, from the State of New York into the State of New Jersey, on or about February 26, 1927, of a quantity of Endoquin (quinine hydrochloride), on or about May 29, 1926, of a quantity of Endoferarsan with glycerophosphates (iron arsenic and glycerophosphates), on or about August 20, 1926, of quantities of Endoferarsan (iron and arsenic), and emetine hydrochloride, which said products were adulterated and misbranded. The articles were contained in ampuls, labeled in part respectively: "Endoquin (Quinine Hydrochloride)," "Endoferarsan with Glycerophosphates (Iron Arsenic and Glycerophosphates)," "Endoferarsan (Iron and Arsenic)," "Emetine Hydrochloride," and "Intravenous Products Company of America, Inc., New York," and bore the further statements as hereinafter set forth.

It was alleged in the information that the articles were adulterated in that their strength and purity fell below the professed standard and quality under which they were sold in that 5 mls of the Endoquin (quinine hydrochloride) was represented to contain 0.5 gram ( $7\frac{1}{2}$  grains) of quinine hydrochloride, whereas 5 mls of the said Endoquin contained not more than 0.3661 gram (5.65 grains) of quinine hydrochloride; 5 mls of the Endoferarsan with glycerophosphates was represented to contain 0.065 gram (1 grain) of ferric dimethylarsenate, whereas 5 mls of the said Endoferarsan with glycerophosphates contained not more than 0.0333 gram (0.51 grain) of ferric dimethylarsenate; 5 mls of the Endoferarsan was represented to contain 0.065 gram (1 grain) of ferric dimethylarsenate and 0.2 gram (3 grains) of sodium dimethylarsenate, which represents an equivalent of 0.1234 gram (1.9 grains) total arsenic trioxide, whereas 5 mls of said Endoferarsan contained less ferric dimethylarsenate and sodium dimethylarsenate than represented, namely, not more than the equivalent of 0.0208 gram (0.32 grain) of total arsenic trioxide; and 5 mls of the emetine hydrochloride was represented to contain 32 milligrams (one-half grain) of emetine hydrochloride, whereas 5 mls of said emetine hydrochloride contained not more than 0.0194 gram (0.3 grain) of emetine hydrochloride.

Misbranding of the articles was alleged for the reason that the statements, to wit, "Five mls represent Quinine Hydrochloride 0.5 gram ( $7\frac{1}{2}$  grains)," with respect to the Endoquin, "Five mls represent Ferric Dimethylarsenate 0.065 gram (1 grain)," with respect to the Endoferarsan with glycerophosphates, "Five mls represent Ferric Dimethylarsenate 0.065 gram (1 grain), Sodium Dimethylarsenate 0.2 gram (3 grains)," with respect to the Endoferarsan, and "Five mls represent 32 milligrams ( $\frac{1}{2}$  gr.) of Emetine Hydrochloride," with respect to the emetine hydrochloride, borne on the labels attached to the ampuls containing the respective articles, were false and misleading in that the said statements represented that the articles contained the said ingredients in the proportions declared on the labels, whereas they did not, but contained the said ingredients in a less amount than so declared.

On November 14, 1928, a plea of guilty was entered on behalf of the defendant company, and the court imposed a fine of \$200.

ARTHUR M. HYDE, *Secretary of Agriculture.*

**16093. Misbranding of olive oil. U. S. v. 29 Cartons, et al., of Olive Oil. Consent decree of condemnation and forfeiture. Product released under bond. (F. & D. No. 22076. I. S. Nos. 16770-x, 16771-x, 16773-x. S. No. 119.)**

On October 3, 1927, the United States attorney for the District of Connecticut, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel, and subsequently an amendment



to said libel, praying seizure and condemnation of 83¼ cartons of olive oil, remaining in the original unbroken packages at New Haven, Conn., alleging that the article had been shipped by Leo Crisafulli, New York, N. Y., on or about July 29, 1927, and transported from the State of New York into the State of Connecticut, and charging misbranding in violation of the food and drugs act as amended. A portion of the article was labeled in part: "Campagnola Brand Choicest Pure Olive Oil \* \* \* Net Contents 1 Gallon (or "½ Gallon")." The remainder of the said article was labeled in part: "Contents One Gallon Corolla Brand Pure Olive Oil."

It was alleged in the libel, as amended, that the article was misbranded in that the statements "Net Contents ½ Gallon" and "Contents 1 Gallon," borne on the labels, were false and misleading and deceived and misled purchasers. Misbranding was alleged for the further reason that the article was food in package form and the quantity of the contents was not plainly and conspicuously marked on the outside of the package.

On March 12, 1928, Leo Crisafulli, New York, N. Y., claimant, having admitted the allegations of the libel and having consented to the entry of a decree, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be released to the said claimant upon the execution of a bond in the sum of \$150, conditioned in part that it be made to comply with the law.

ARTHUR M. HYDE, *Secretary of Agriculture.*

**16094. Adulteration and misbranding of butter. U. S. v. 20 Cases of Butter. Consent decree of condemnation entered. Product released under bond. (F. & D. No. 22916. I. S. Nos. 24014-x, 24015-x, 24016-x. S. No. 938.)**

On July 5, 1928, the United States attorney for the Western District of New York, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying seizure and condemnation of 20 cases of butter, remaining in the original unbroken packages at Buffalo, N. Y., alleging that the article had been shipped by Sherman White & Co., from Waterloo, Ind., June 14, 1928, and transported from the State of Indiana into the State of New York, and charging adulteration and misbranding in violation of the food and drugs act as amended. A portion of the article was labeled in part: (Cartons) "One Pound Net Weight \* \* \* Manufactured by Sherman White & Company." The remainder of the said article was unlabeled except that parchment wrappers were perforated "XU ADDG."

It was alleged in the libel that the article was adulterated in that a substance deficient in butterfat had been mixed and packed therewith, so as to reduce or lower or injuriously affect its quality or strength and had been substituted wholly or in part for the said article.

Misbranding was alleged for the reason that the article was an imitation of or offered for sale under the distinctive name of another article. Misbranding was alleged for the further reason that the article was in package form and the quantity of contents was not plainly and conspicuously marked on the outside of the package. The charge recommended by this department relative to declaration of contents applied only to that portion of the product the parchment wrappers of which were perforated "XU ADDG." As to this portion the charge recommended was that it was further misbranded in that it was in package form and the quantity of the contents was not plainly and conspicuously marked on the outside of the packages.

On July 7, 1928, the Sherman White Co., Fort Wayne, Ind., having appeared as claimant for the property and having consented to the entry of a decree, judgment of condemnation was entered, and it was ordered by the court that the product be released to the said claimant upon payment of costs and the execution of a bond in the sum of \$1,000, conditioned in part that it should not be sold or otherwise disposed of contrary to law. It was further ordered by the court that the claimant be permitted to recondition the product under the supervision of this department.

ARTHUR M. HYDE, *Secretary of Agriculture.*

**16095. Adulteration of frozen poultry. U. S. v. 140 Barrels, et al., of Frozen Poultry. Consent decrees of condemnation and forfeiture. Product released under bond. (F. & D. Nos. 22781, 22784. I. S. Nos. 24485-x to 24489-x, incl. S. Nos. 815, 820, 821.)**

On or about May 21, 1928, the United States attorney for the District of New Jersey, acting upon reports by the Secretary of Agriculture, filed in the District Court of the United States for said district libels praying seizure and



condemnation of 681 barrels of frozen poultry at Jersey City, N. J., alleging that the article had been shipped by Cromer & Cossitt (Inc.), Chicago, Ill., between the dates of February 1, 1928, and February 20, 1928, and transported from the State of Illinois into the State of New Jersey, and charging adulteration in violation of the food and drugs act.

It was alleged in the libels that the article was adulterated in that it consisted in part of a filthy, decomposed, and putrid animal substance, in that it consisted in part of a portion of an animal unfit for food, and in that it was the product of a diseased animal.

On September 29 and October 17, 1928, respectively, the Silz Packing Co. (Inc.), a New Jersey corporation, claimant, having admitted the allegations of the libel, modified to the extent, however, that some part or portion of the goods might be fit for human consumption, and having consented to the entry of decrees, judgments of condemnation and forfeiture were entered, and it was ordered by the court that the product be released to the said claimant upon payment of costs and the execution of bonds totaling \$17,100, or the deposit of collateral in like amount, conditioned in part that it be salvaged and the portion unfit for human consumption be destroyed or denatured.

ARTHUR M. HYDE, *Secretary of Agriculture.*

**16096. Adulteration of dressed poultry. U. S. v. 1 Barrel of Dressed Poultry. Default decree of condemnation, forfeiture, and destruction.** (F. & D. No. 23177. I. S. No. 03061. S. No. 1282.)

On November 7, 1928, the United States attorney for the Southern District of New York, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying seizure and condemnation of 1 barrel of dressed poultry, remaining in the original unbroken packages at New York, N. Y., alleging that the article had been shipped by Hurst & Majors, from Manhattan, Kans., on or about October 17, 1928, and transported from the State of Kansas into the State of New York, and charging adulteration in violation of the food and drugs act.

It was alleged in the libel that the article was adulterated in that it consisted in part of a decomposed animal substance, in that it consisted in part of a portion of an animal unfit for food, and in that it was the product of a diseased animal.

On November 24, 1928, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

ARTHUR M. HYDE, *Secretary of Agriculture.*

**16097. Adulteration of apples. U. S. v. 1 Carload of Apples. Decree of condemnation entered. Product released under bond.** (F. & D. No. 23144. I. S. No. 0479. S. No. 1244.)

On October 15, 1928, the United States attorney for the Northern District of Texas, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying seizure and condemnation of 1 carload of apples at Clarendon, Tex., alleging that the article had been shipped by Engel & McDonald, from Canon City, Colo., on or about October 8, 1928, and transported from the State of Colorado into the State of Texas, and charging adulteration in violation of the food and drugs act.

It was alleged in the libel that the article was adulterated in that it contained added poisonous substances, to wit, lead and arsenic, which might have rendered it injurious to health and unfit for human consumption.

On October 19, 1928, Phil Engel and William C. McDonald, trading as Engel & McDonald, having appeared as claimants for the property and having admitted the allegations of the libel and filed a bond in the sum of \$500, judgment of condemnation was entered, and it was ordered by the court that the product be released to the said claimants, and that it be segregated and cleaned under the supervision of this department.

ARTHUR M. HYDE, *Secretary of Agriculture.*

**16098. Misbranding of tomato catsup. U. S. v. 200 Cases of Catsup. Consent decree of condemnation and forfeiture. Product released under bond.** (F. & D. No. 22907. I. S. No. 013757. S. No. 979.)

On July 28, 1928, the United States attorney for the Southern District of Ohio, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying seizure and condemnation of 200 cases of catsup, remaining in the original unbroken packages

at Dayton, Ohio, alleging that the article had been shipped by the Morgan Packing Co., from Austin Ind., June 26, 1928, and transported from the State of Indiana into the State of Ohio, and charging misbranding in violation of the food and drugs act. The article was labeled in part: (Bottles) "General Jackson Brand Tomato Catsup, Morgan Packing Company, Austin, Indiana."

It was alleged in substance in the libel that the article contained artificial coloring matter, and was misbranded in that the designation "Tomato Catsup" was false and misleading and deceived and misled the purchaser when applied to an artificially colored article.

On November 26, 1928, the Morgan Packing Co., Austin, Ind., claimant, having admitted the allegations of the libel and having consented to the entry of a decree, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be released to the said claimant upon payment of costs and the execution of a bond in the sum of \$1,000, conditioned in part that it be relabeled under the supervision of this department to indicate the presence of artificial coloring.

ARTHUR M. HYDE, *Secretary of Agriculture.*

**16099. Adulteration of frozen poultry. U. S. v. 1 Barrel of Frozen Poultry. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 23018. I. S. No. 03004. S. No. 1072.)**

On August 28, 1928, the United States attorney for the Southern District of New York, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying seizure and condemnation of 1 barrel of frozen poultry, remaining in the original unbroken packages at New York, N. Y., alleging that the article had been shipped by E. L. McKinley, from Piqua, Ohio, on or about August 3, 1928, and transported from the State of Ohio into the State of New York, and charging adulteration in violation of the food and drugs act.

It was alleged in the libel that the article was adulterated in that it consisted in part of a portion of an animal unfit for food and in that it was the product of a diseased animal.

On September 12, 1928, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

ARTHUR M. HYDE, *Secretary of Agriculture.*

**16100. Adulteration of canned salmon. U. S. v. 200 Cases of Salmon. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 19049. I. S. Nos. 23013-v, 23011-v. S. No. C-4500.)**

On October 10, 1924, the United States attorney for the District of Nebraska, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying seizure and condemnation of 200 cases of salmon at Omaha, Nebr., alleging that the article had been shipped by the Alaska Consolidated Canneries, from Seattle, Wash., on or about August 4, 1924, and transported from the State of Washington into the State of Nebraska, and charging adulteration in violation of the food and drugs act. The article was labeled in part: (Can) "Surf Brand Choice Pink Salmon Packed by Alaska Pacific Fisheries Seattle, Washington."

It was alleged in the libel that the article was adulterated in that it consisted wholly or in part of a filthy, decomposed, or putrid animal substance.

On November 15, 1928, no claimant having appeared for the property, judgment of condemnation was entered, and it was ordered by the court that the product be destroyed by the United States marshal. On November 16, 1928, the United States marshal made a return that he had attempted to carry out the order of the court and that none of the product remained, it having been used by the shipping clerk of the McCord-Brady Co., in whose warehouse the product had been stored, to fill orders of that company. On November 16, 1928, an order was issued against John Doe, the said shipping clerk, adjudging him guilty of contempt of a lawful order of the court, and it was ordered that he be fined \$1.

ARTHUR M. HYDE, *Secretary of Agriculture.*

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# United States Department of Agriculture

## FOOD, DRUG, AND INSECTICIDE ADMINISTRATION

### NOTICES OF JUDGMENT UNDER THE FOOD AND DRUGS ACT

[Given pursuant to section 4 of the food and drugs act]

16101-16125

[Approved by the Secretary of Agriculture, Washington, D. C., June 28, 1929]

**16101. Misbranding of cocoa. U. S. v. 4¾ Cartons of Cocoa. Default decree of forfeiture and destruction entered. (F. & D. No. 23052. I. S. No. 02330. S. No. 1131.)**

On or about September 5, 1928, the United States attorney for the Southern District of Georgia, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying seizure and condemnation of 4¾ cartons of cocoa, remaining in the original unbroken packages at Augusta, Ga., alleging that the article had been shipped by E. & A. Opler (Inc.), from New York, N. Y., on or about June 11, 1928, and transported from the State of New York into the State of Georgia, and charging misbranding in violation of the food and drugs act as amended. The article was labeled in part: "Our Mother's Cocoa Net Weight ¼ lb. E. & A. Opler, Inc. Chicago and New York."

It was alleged in the libel that the article was misbranded in that the statement on the label, "Net Weight ¼ Lb.," was false and misleading and deceived and misled the purchaser, and for the further reason that the article was food in package form and the quantity of the contents was not plainly and conspicuously marked on the outside of the package, since the statement made was not correct.

On November 13, 1928, no claimant having appeared for the property, judgment of forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

ARTHUR M. HYDE, *Secretary of Agriculture.*

**16102. Adulteration and misbranding of jellies. U. S. v. 2 Cases of Apple Jelly, et al. Consent decree of condemnation and forfeiture. Products released under bond. (F. & D. No. 23169. I. S. Nos. 096, 097, 098, 0100, 05901, 05902, 05904, 05905. S. No. 1276.)**

On October 29, 1928, the United States attorney for the Northern District of California, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying seizure and condemnation of 6 cases and 25 pails of various jellies, remaining in the original packages at San Francisco, Calif., consigned by the Pacific Food Products Co., Seattle, Wash., alleging that the article had been shipped from Seattle, Wash., on or about October 9, 1928, and transported from the State of Washington into the State of California, and charging adulteration and misbranding in violation of the food and drugs act as amended. The said cases each contained a number of jars labeled in part: "Net Weight 8 Oz. Sunny Jim Brand Apple Jelly," "Net Contents 7¾ Oz. Sunny Jim Brand Strawberry Jelly Fruit Pectin Added," "7¾ Oz. Sunny Jim Brand Currant Jelly Fruit Pectin Added." The remainder of the said articles were contained

in pails labeled in part: "30 Lbs. Grape (or "Raspberry," "Strawberry," "Apple," or "Loganberry") Jelly."

It was alleged in the libel that the articles in jars, with the exception of the apple jelly, were adulterated in that pectin had been mixed and packed with and substituted in part for strawberry and currant jelly, and in that phosphoric acid and glucose had been mixed and packed with and substituted in part for the grape, raspberry, strawberry, apple, and loganberry jellies in pails. Adulteration was alleged with respect to the grape, raspberry, strawberry, and loganberry jellies (in pails) or for the further reason that they had been artificially colored in a manner so as to conceal inferiority.

Misbranding was alleged with respect to the apple, strawberry, and currant jellies in jars for the reason that the statements, "Net Weight 8 Oz." and "Net Weight 7 $\frac{3}{4}$  Oz.," borne on the jars, were false and misleading and deceived and misled the purchaser, since the jars contained less than so declared; and for the further reason that they were food in package form and the quantity of contents was not plainly and conspicuously marked on the outside of the packages, since the quantities stated were not correct. Misbranding was alleged for the further reason that the statements, "Strawberry Jelly," "Currant Jelly," with respect to the jellies in jars, and the statements, "Grape," "Raspberry Jelly," "Loganberry Jelly," and "Apple Jelly," with respect to the jellies in pails, were false and misleading and deceived and misled the purchaser. Misbranding was alleged with respect to all lots, except the apple jelly in jars, for the further reason that they were imitations of and offered for sale under the distinctive names of other articles.

On November 19, 1928, the Pacific Food Products Co., Seattle, Wash., having appeared as claimant for the property and having consented to the entry of a decree, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the products be released to the said claimant upon payment of costs and the deposit of a cash bond in the sum of \$100, conditioned in part that they be made to conform with the provisions of the Federal food and drugs act under the supervision of this department.

ARTHUR M. HYDE, *Secretary of Agriculture.*

**16103. Adulteration and misbranding of Lee's Creo-Lyptus. U. S. v. 750 Dozen Bottles of Lee's Creo-Lyptus. Consent decree of condemnation and forfeiture. Product released under bond. (F. & D. No. 23106. I. S. No. 0734. S. No. 1165.)**

On September 25, 1928, the United States attorney for the District of Oregon, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying seizure and condemnation of 750 dozen bottles of Lee's Creo-Lyptus, remaining in the original unbroken packages at Portland, Oreg., alleging that the article had been shipped by the South End Warehouse Co., from San Francisco, Calif., on or about August 23, 1928, and transported from the State of California into the State of Oregon, and charging adulteration and misbranding in violation of the food and drugs act as amended.

Analysis of a sample of the article by this department showed that it consisted essentially of ammonium chloride, chloroform, extracts of plant drugs, traces of volatile oils, a possible trace of creosote, sugar, alcohol, and water.

It was alleged in the libel that the article was adulterated in that its strength, quality, and purity fell below the professed standard under which it was sold, in that it had no antiseptic action on the lungs, was not an active germicide, and was not antiseptic.

Misbranding was alleged for the reason that the following statements appearing on the labeling were false and misleading: (Bottle label) "Creo \* \* \*. An emulsified Creosote, Eucalyptus, and pine preparation \* \* \*. Contents of this package are guaranteed to comply with all Federal and State Pure Food Laws;" (poster) "Creo \* \* \*. An Emulsified Creosote, Eucalyptus, and Pine Preparation;" (display card) "Creo." Misbranding was alleged for the further reason that the following statements appearing in the labeling were false and fraudulent: (Display card) "For Coughs, Colds, and Bronchial Congestion. Quick Relief to persistent and Chronic Cases \* \* \*. Spasmodic Croup and Whooping Cough \* \* \*. Stops Coughs in 5 Minutes. Creosote—It is used in the treatment of tuberculosis, pneumonia, and bronchitis \* \* \*. Creosote was originally introduced in the treatment of tuberculosis on account of its antiseptic action on the lungs. Its beneficial influence in this disease can be ascribed to its stimulating effect on the bronchial mucous membrane. For this



action it is also a very valuable drug in the treatment of all types of chronic bronchitis. It is considered very reliable in the treatment of chronic inflammation of the air passages. Creosote, if taken over a short period of time, is taken in the blood tract and carried to the lungs, saturating them to the extent that it is next to impossible for pneumonia germs to exist \* \* \*. Used as an expectorant in bronchitis and Spasmodic Croup \* \* \*. An active germicide \* \* \* an antiseptic especially in the treatment of infections of the upper respiratory tract, and \* \* \* in chronic bronchitis and tuberculosis. It has been especially praised in asthma. \* \* \* in the treatment of Asthma and Bronchitis where there is a tendency to dyspnoea (difficult or labored breathing) and bronchial spasm. In chronic bronchitis of aged persons it is particularly salutary. It has been especially useful in the treatment of Whooping Cough and Spasmodic Croup \* \* \*. Asserted in the treatment of Catarrhal affections, Coughs, Colds, Croup, Whooping Cough, Asthma, etc.;" (poster) "Stop that Cough, Cold, or Croup \* \* \*. Quickly relieves persistent Coughs, Colds, Spasmodic Croup, Bronchial Asthma, Whooping Cough. Prevents Pneumonia;" (bottle label) "Quickly relieves persistent Coughs, Colds, Spasmodic Croup, Bronchial Congestion, Whooping Cough. \* \* \* until relieved \* \* \*. For whooping cough and croup \* \* \*. Creo-Lyptus should be taken regularly according to directions as long as cough is evident. Inflamed tissues are quickly relieved \* \* \*. For better results in Severe Cases."

On November 14, 1928, the Creo-Lyptus Co., Kansas City, Mo., having appeared as claimant for the property and having consented to the entry of a decree, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be released to the said claimant upon payment of costs and the execution of a bond in the sum of \$2,000, conditioned in part that it be relabeled in a manner satisfactory to this department.

ARTHUR M. HYDE, *Secretary of Agriculture.*

**16104. Adulteration of dressed chickens. U. S. v. 34 Barrels of Dressed Chickens. Consent decree of condemnation and forfeiture. Product released under bond. (F. & D. No. 23090. I. S. No. 01950. S. No. 1181.)**

On September 21, 1928, the United States attorney for the Northern District of Illinois, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying seizure and condemnation of 34 barrels of dressed chickens, remaining in the original unbroken packages at Chicago, Ill., alleging that the article had been shipped by the North American Cold Storage Co., from Clarinda, Iowa, August 24, 1928, and transported from the State of Iowa into the State of Illinois, and charging adulteration in violation of the food and drugs act.

It was alleged in the libel that the article was adulterated in that it consisted in part of a filthy, decomposed, and putrid animal substance, in that it consisted in part of a portion of an animal unfit for food, and in that it was the product of a diseased animal.

On November 23, 1928, Swift & Co., Chicago, Ill., claimant, having admitted the allegations of the libel and having consented to the entry of a decree, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be released to the said claimant upon payment of costs and the execution of a bond in the sum of \$1,000, conditioned in part that the portion designated by a representative of this department as unfit for food be destroyed and the portion fit for food be released.

ARTHUR M. HYDE, *Secretary of Agriculture.*

**16105. Adulteration and misbranding of cocoa powder. U. S. v. 22 Barrels of Cocoa Powder. Consent decree of condemnation and forfeiture. Product released under bond. (F. & D. No. 22643. I. S. No. 17479-x. S. No. 622.)**

On March 14, 1928, the United States attorney for the Western District of Washington, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying seizure and condemnation of 22 barrels of cocoa powder, remaining in the original unbroken packages at Seattle, Wash., alleging that the article had been shipped by Boheme & Co., from Portland, Oreg., October 13, 1927, and transported from the State of Oregon into the State of Washington, and charging adulteration and misbranding in violation of the food and drugs act. The article was labeled in part: "E. & A. Opler, Incorporated American Brand Pure Cocoa Powder, Chicago."

It was alleged in the libel that the article was adulterated in that a substance, excess shell, had been mixed and packed with and substituted wholly or in part for the said article.

Misbranding was alleged for the reason that the designation "Pure Cocoa Powder" was false and misleading and deceived and misled the purchaser.

On July 7, 1928, E. & A. Opler (Inc.), claimant, having admitted the allegations of the libel and having consented to the entry of a decree, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be released to the said claimant upon payment of costs and the execution of a bond in the sum of \$300, conditioned in part that it be relabeled under the supervision of this department.

ARTHUR M. HYDE, *Secretary of Agriculture.*

**16106. Misbranding of figs. U. S. v. 25 Cases, et al., of Figs. Default decrees of condemnation and forfeiture. Product ordered destroyed or delivered to charitable institutions. (F. & D. Nos. 23122, 23123, 23124. I. S. Nos. 0736, 0737, 0738, 0739. S. No. 1221.)**

On October 6, 1928, the United States attorney for the District of Oregon, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district libels praying seizure and condemnation of 80 cases of figs, remaining in the original unbroken packages at Portland, Oreg., alleging that the article had been shipped by Farnsworth & Ruggles, from San Francisco, Calif., on or about September 18, 1928, and transported from the State of California into the State of Oregon, and charging misbranding in violation of the food and drugs act as amended. The article was labeled in part: "Giebler's Fancy California Figs Grown and Packed by Giebler's Fig Gardens, Merced, Calif. Net Weight 8 Oz. (or "Net Weight 4 Oz. When Packed") White California Figs."

It was alleged in the libels that the article was misbranded in that the statements "Net Weight 8 oz." and "Net Weight 4 oz.," where they appeared on the package labels, were false and misleading and deceived and misled the purchaser. Misbranding was alleged for the further reason that the article was food in package form and the quantity of the contents was not plainly and conspicuously marked on the outside of the packages, since the quantity stated was not correct.

On November 13, 1928, no claimant having appeared for the property, judgments of condemnation and forfeiture were entered, and it was ordered by the court that the product be destroyed or delivered to charitable institutions by the United States marshal.

ARTHUR M. HYDE, *Secretary of Agriculture.*

**16107. Adulteration of frozen poultry. U. S. v. 1 Barrel of Frozen Poultry. Consent decree of condemnation and destruction entered. (F. & D. No. 22953. I. S. No. 02822. S. No. 1021.)**

On August 7, 1928, the United States attorney for the District of Connecticut, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying seizure and condemnation of 1 barrel of frozen poultry, remaining unsold in the original unbroken packages at New Haven, Conn., alleging that the article had been shipped by the Armour Creameries, Boonville, Mo., on or about July 17, 1928, and transported from the State of Missouri into the State of Connecticut, and charging adulteration in violation of the food and drugs act.

It was alleged in the libel that the article was adulterated in that it consisted in part of a filthy, decomposed, and putrid animal substance, in that it consisted in part of a portion of an animal unfit for food, and in that it was the product of a diseased animal.

On September 25, 1928, the owner of the product having consented to the entry of a decree, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

ARTHUR M. HYDE, *Secretary of Agriculture.*

**16108. Adulteration and misbranding of cocoa powder. U. S. v. 175 Barrels of Cocoa Powder. Decree of condemnation entered. Product released under bond. (F. & D. No. 22644. I. S. No. 17480-x. S. No. 624.)**

On March 15, 1928, the United States attorney for the Western District of Washington, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying seizure



and condemnation of 175 barrels of cocoa powder, remaining in the original unbroken packages at Seattle, Wash., alleging that the article had been shipped by the Pacific Cocoa Co., from Portland, Oreg., February 7, 1928, and transported from the State of Oregon into the State of Washington, and charging adulteration and misbranding in violation of the food and drugs act. The article was labeled in part: "E. & A. Opler, Inc., American Brand Pure Cocoa Powder, Chicago."

It was alleged in the libel that the article was adulterated in that a substance, excessive crude fiber and shell, had been mixed and packed with and substituted wholly or in part for the said article.

Misbranding was alleged in that the designation "Pure Cocoa Powder" was false and misleading and deceived and misled the purchaser.

On July 7, 1928, the E. & A. Opler (Inc.), Chicago, Ill., having appeared as claimant for the property and having admitted the allegations of the libel, judgment of condemnation was entered, and it was ordered by the court that the product be released to the said claimant for relabeling under the supervision of this department, provided the claimant execute a bond in the sum of \$100 to insure that the product be disposed of in accordance with the Federal food and drugs act.

ARTHUR M. HYDE, *Secretary of Agriculture.*

**16109. Misbranding of tomato paste. U. S. v. 244 Cases of Tomato Paste. Decree of condemnation entered. Product released under bond.**  
(F. & D. No. 22798. I. S. No. 24005-x. S. No. 836.)

On or about May 26, 1928, the United States attorney for the Western District of New York, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying seizure and condemnation of 244 cases of tomato paste, remaining in the original unbroken packages at Buffalo, N. Y., consigned by the La Sierra Heights Canning Co., Arlington Calif., alleging that the article had been shipped from Arlington, Calif., on or about December 15, 1927, and transported from the State of California into the State of New York, and charging misbranding in violation of the food and drugs act. The article was labeled in part: "Salsa Di Pomodoro \* \* \* Packed by La Sierra Heights Canning Company, Arlington, Cal. Naples Style Tomato Paste."

It was alleged in the libel that the article was misbranded in that the statement "Salsa Di Pomodoro Tomato Paste" was false and misleading and deceived and misled the purchaser.

On August 20, 1928, the Progressive Italian Importing Co., Brooklyn, N. Y., having appeared as claimant for the property, judgment of condemnation was entered, and it was ordered by the court that the product be released to the said claimant upon the execution of a good and sufficient bond, conditioned in part that it be relabeled, the words "Artificially Colored" to appear on said label in a conspicuous manner, and it was further ordered by the court that the claimant pay the costs of the proceedings.

ARTHUR M. HYDE, *Secretary of Agriculture.*

**16110. Adulteration of frozen poultry. U. S. v. 1 Barrel of Frozen Poultry. Default decree of condemnation, forfeiture, and destruction.**  
(F. & D. No. 23117. I. S. No. 02860. S. No. 1215.)

On October 5, 1928, the United States attorney for the Southern District of New York, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying seizure and condemnation of 1 barrel of frozen poultry at New York, N. Y., alleging that the article had been shipped by Naive Spillers, from Nashville, Tenn., on or about September 13, 1928, and transported from the State of Tennessee into the State of New York, and charging adulteration in violation of the food and drugs act.

It was alleged in the libel that the article was adulterated in that it consisted in part of a decomposed animal substance, in that it consisted in part of a portion of an animal unfit for food, and in that it was the product of a diseased animal.

On October 20, 1928, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

ARTHUR M. HYDE, *Secretary of Agriculture.*



**16111. Adulteration and misbranding of potatoes. U. S. v. Leonard, Crosset & Riley (Inc.). Plea of guilty. Fine, \$50. (F. & D. No. 22575. I. S. No. 19083-x.)**

On September 27, 1928, the United States attorney for the Eastern District of Michigan, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against Leonard, Crosset & Riley (Inc.), a corporation, trading at Detroit, Mich., alleging shipment by said company, in violation of the food and drugs act, on or about December 7, 1927, from the State of Indiana into the State of Michigan, of a quantity of potatoes which were adulterated and misbranded. The article was labeled in part: "U. S. Grade No. 1 Good Luck Michigan Potatoes."

It was alleged in the information that the article was adulterated in that potatoes other than Michigan potatoes, U. S. Grade No. 1, had been substituted for Michigan potatoes, U. S. Grade No. 1, which the said article purported to be.

Misbranding was alleged for the reason that the statement, to wit, "Michigan Potatoes, U. S. Grade No. 1," borne on the label, was false and misleading in that the said statement represented that the article consisted of Michigan potatoes, United States Grade No. 1, and for the further reason that it was labeled as aforesaid so as to deceive and mislead the purchaser into the belief that it consisted of Michigan potatoes, United States Grade No. 1, whereas it did not so consist but did consist of Indiana potatoes not United States Grade No. 1. Misbranding was alleged for the further reason that the article was offered for sale and sold under the distinctive name of another article.

On or about November 5, 1928, a plea of guilty to the information was entered on behalf of the defendant company, and the court imposed a fine of \$50.

ARTHUR M. HYDE, *Secretary of Agriculture.*

**16112. Misbranding of tomato catsup. U. S. v. 1456 Cases of Tomato Catsup. Product released under bond by consent. (F. & D. No. 23121. I. S. No. 05305. S. No. 12229.)**

On or about October 6, 1928, the United States attorney for the Northern District of Illinois, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying seizure and condemnation of 1,456 cases of tomato catsup, remaining in the original unbroken packages at Chicago, Ill., alleging that the article had been shipped by the Mid-west Food Packers (Inc.), from Fowlerton, Ind., September 7, 1928, and transported from the State of Indiana into the State of Illinois, and charging misbranding in violation of the food and drugs act. The article was labeled in part: (Bottle) "Mid-west Brand Tomato Catsup \* \* \*. This Catsup Guaranteed To Be Absolutely Pure. No Preservatives or Artificial Coloring \* \* \*. Made by Midwest Food Packers, Inc. Marion, Indiana."

It was alleged in the libel that the article was misbranded in that the statement in the labeling, "No preservatives or artificial coloring," was false and misleading and deceived and misled the purchaser, since the product contained an artificial coloring.

The Mid-West Food Packers (Inc.), Fowlerton, Ind., having appeared as claimant for the property, the following statement of facts was agreed to by the Government and the said claimant: that the above-quoted labels were misleading since the product contained color, that said "color" was a color certified by the Secretary of Agriculture as being in compliance with the Federal food and drugs act and regulations made pursuant thereto, that said "color" is harmless and was not used in the product for the purpose of concealing damage or inferiority, and that there was no evidence of intent on the part of the claimant in using said color or in labeling said bottles to mislead or deceive purchasers to their damage. On November 13, 1928, judgment was entered ordering that the product be released to the claimant upon payment of costs and the execution of a good and sufficient bond, conditioned in part that it be relabeled under the supervision of this department.

ARTHUR M. HYDE, *Secretary of Agriculture.*

**16113. Adulteration and misbranding of butter. U. S. v. Ideal Butter & Egg Co. (Inc.). Plea of guilty. Fine, \$100. (F. & D. No. 22583. I. S. No. 21226-x.)**

On October 13, 1928, the United States attorney for the Southern District of New York, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against the Ideal Butter & Egg Co. (Inc.), a corporation, New York, N. Y., alleging ship-

ment by said company, in violation of the food and drugs act, on or about September 23, 1927, from the State of New York into the State of Maryland, of a quantity of butter which was adulterated and misbranded. The article was labeled in part: "From Ideal B & E Co. Inc. New York, N. Y."

It was alleged in the information that the article was adulterated in that it consisted in whole and in part of a filthy and decomposed and putrid animal substance, for the further reason that a product which contained less than 80 per cent by weight of milk fat had been substituted for butter, a product which should contain not less than 80 per cent by weight of milk fat as prescribed by the act of March 4, 1923, which the said article purported to be.

Misbranding was alleged for the reason that a product composed in part of cottonseed oil, peanut oil, and a hardened fat, and which contained less than 80 per cent by weight of milk fat, prepared in imitation of butter, had been offered for sale and sold under the distinctive name of another article, to wit, butter.

On October 26, 1928, a plea of guilty to the information was entered on behalf of the defendant company, and the court imposed a fine of \$100.

ARTHUR M. HYDE, *Secretary of Agriculture*.

**16114. Adulteration and misbranding of strawberry preserves. U. S. v. 94 Cases of Strawberry Preserves. Decree of condemnation entered. Product released under bond. (F. & D. No. 23057. I. S. No. 01475. S. No. 1148.)**

On September 5, 1928, the United States attorney for the Eastern District of Missouri, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying seizure and condemnation of 94 cases of strawberry preserves, remaining in the original unbroken packages at St. Louis, Mo., alleging that the article had been shipped by the C. Von Allmen Preserving Co., Louisville, Ky., on or about October 12, 1927, and transported from the State of Kentucky into the State of Missouri, and charging adulteration and misbranding in violation of the food and drugs act. The article was labeled in part: "Festal Hall Brand Strawberry Pure Preserves."

It was alleged in the libel that the article was adulterated in that added acid had been mixed and packed with and substituted in part for the said article.

Misbranding was alleged for the reason that the statement "Pure Preserves," borne on the label, was false and misleading and deceived and misled the purchaser, and for the further reason that the article was an imitation of and was offered for sale under the distinctive name of another article.

On December 18, 1928, the C. Von Allmen Preserving Co., Louisville, Ky., having appeared as claimant for the property, judgment of condemnation was entered, and it was ordered by the court that the product be released to the said claimant upon the execution of a good and sufficient bond, conditioned in part that it be salvaged and put in condition under the supervision of this department, and it was further ordered by the court that the claimant pay costs.

ARTHUR M. HYDE, *Secretary of Agriculture*.

**16115. Adulteration of pecans. U. S. v. 2 Bags of Pecans. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 23191. I. S. No. 02866. S. No. 1291.)**

On November 15, 1928, the United States attorney for the Southern District of New York, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying seizure and condemnation of 2 bags of pecans at New York, N. Y., charging that the article was adulterated in violation of the food and drugs act. The article had been consigned by the National Pecan Growers Exchange, Albany, Ga., about September 2, 1927, and transported from the State of Georgia into the State of New York. It was labeled in part: "Order of National Pecan Growers Exchange. Notify Mr. Morris Mushlin \* \* \* New York City."

It was alleged in the libel that the article was adulterated in that it consisted in whole or in part of a filthy, decomposed, or putrid vegetable substance.

On December 10, 1928, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

ARTHUR M. HYDE, *Secretary of Agriculture*.



**16116. Adulteration of frozen poultry. U. S. v. 78 Barrels, et al., of Frozen Poultry. Consent decree of condemnation and forfeiture. Product released under bond. (F. & D. No. 22762. I. S. Nos. 24478-x, 24479-x. S. No. 794.)**

On May 9, 1928, the United States attorney for the District of New Jersey, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying seizure and condemnation of 78 barrels and 75 boxes of frozen poultry, remaining unsold at Jersey City, N. J., alleging that the article had been shipped by the Central Cold Storage Co., Chicago, Ill., on or about December 28, 1927, and transported from the State of Illinois into the State of New Jersey, and charging adulteration in violation of the food and drugs act.

It was alleged in the libel that the article was adulterated in that it consisted in part of a filthy, decomposed, and putrid animal substance, in that it consisted in part of a portion of an animal unfit for food, and in that it was the product of a diseased animal.

On November 15, 1928, the Silz Packing Co. (Inc.), New York, N. Y., claimant, having admitted the allegations of the libel and having consented to the entry of a decree, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be released to the said claimant upon payment of costs and the execution of a bond in the sum of \$2,900, or the deposit of collateral in like amount, conditioned in part that the portion unfit for human consumption be separated from the lot and destroyed or denatured.

ARTHUR M. HYDE, *Secretary of Agriculture.*

**16117. Adulteration of frozen poultry. U. S. v. 129 Barrels of Frozen Poultry. Consent decree of condemnation and forfeiture. Product released under bond. (F. & D. 22792. I. S. No. 24490-x. S. No. 827.)**

On May 22, 1928, the United States attorney for the District of New Jersey, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying seizure and condemnation of 129 barrels of frozen poultry, remaining unsold at Jersey City, N. J., alleging that the article had been shipped by the Wadley Co., Pana, Ill., on or about February 21, 1928, and transported from the State of Illinois into the State of New Jersey, and charging adulteration in violation of the food and drugs act.

It was alleged in the libel that the article was adulterated in that it consisted in part of a filthy, decomposed, or putrid animal substance, in that it consisted in part of a portion of an animal unfit for food, and in that it was the product of a diseased animal.

On November 8, 1928, the Silz Packing Co. (Inc.), New York, N. Y., claimant, having admitted the allegations of the libel and having consented to the entry of a decree, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be released to the said claimant upon payment of costs and the execution of a bond in the sum of \$3,600, or the deposit of collateral in like amount, conditioned in part that the portion unfit for human consumption be separated from the lot and destroyed or denatured.

ARTHUR M. HYDE, *Secretary of Agriculture.*

**16118. Adulteration of frozen poultry and frozen chickens. U. S. v. 167 Barrels of Frozen Poultry, et al. Consent decrees of condemnation and forfeiture. Product released under bond. (F. & D. Nos. 22735, 22756, 22766. I. S. Nos. 24469-x, 24476-x, 24477-x, 24481-x. S. Nos. 778, 792, 797.)**

On May 1, May 4, and May 9, 1928, respectively, the United States attorney for the District of New Jersey, acting upon reports by the Secretary of Agriculture, filed in the District Court of the United States for said district libels praying seizure and condemnation of 256 barrels and 31 boxes of frozen poultry, and 22 boxes of frozen chickens, remaining unsold at Jersey City, N. J., consigned by Cromer & Cossitt (Inc.), Chicago, Ill., alleging that the article had been shipped from Chicago, Ill., in part on or about December 1, 1927, and in part on or about January 14, 1928, and transported from the State of Illinois into the State of New Jersey, and charging adulteration in violation of the food and drugs act.

It was alleged in the libels that the article was adulterated in that it consisted in part of a filthy, decomposed, and putrid animal substance, in that it consisted in part of a portion of an animal unfit for food, and in that it was the product of a diseased animal. Adulteration was alleged with respect to a



portion of the frozen poultry for the further reason that it was the product of an animal that had died otherwise than by slaughter.

On October 24, 1928, and November 15, 1928, respectively, the Silz Packing Co. (Inc.), New York, N. Y., claimant, having admitted the material allegations of the libels, modified to the extent, however, that some portion of the product might be fit for human consumption, and said claimant having consented to the entry of decrees, judgments of condemnation and forfeiture were entered, and it was ordered by the court that the product be released to the claimant upon payment of costs and the execution of bonds totaling \$7,050, or the deposit of collateral in like amount, conditioned in part that the portion unfit for human consumption be separated from the lots and destroyed or denatured.

ARTHUR M. HYDE, *Secretary of Agriculture.*

**16119. Adulteration of dressed poultry. U. S. v. 8 Barrels of Dressed Poultry. Default order of destruction entered. (F. & D. No. 23176. I. S. No. 02036. S. No. 1279.)**

On or about November 2, 1928, the United States attorney for the Eastern District of Michigan, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying seizure and condemnation of 8 barrels of dressed poultry at Detroit, Mich., alleging that the article had been shipped by the Merchants Refrigerating Co., from New York, N. Y., October 16, 1928, and transported from the State of New York into the State of Michigan, and charging adulteration in violation of the food and drugs act.

It was alleged in the libel that the article was adulterated in that it consisted in part of a filthy, decomposed, and putrid animal substance, in that it consisted in part of a portion of an animal unfit for food, and in that it was the product of a diseased animal.

On December 6, 1928, no claimant having appeared for the property, judgment of the court was entered ordering that the product be destroyed by the United States marshal.

ARTHUR M. HYDE, *Secretary of Agriculture.*

**16120. Adulteration and misbranding of cheese. U. S. v. 13 Cheeses. Default decree of condemnation and forfeiture. Product released under bond. (F. & D. No. 22960. I. S. No. 03137. S. No. 1028.)**

On or about August 7, 1928, the United States attorney for the District of New Jersey, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying seizure and condemnation of 13 cheeses, remaining unsold at Morris Plains, N. J., alleging that the article had been shipped by Price Bros., Philadelphia, Pa., on or about July 25, 1928, and transported from the State of Pennsylvania into the State of New Jersey, and charging adulteration and misbranding in violation of the food and drugs act.

It was alleged in the libel that the article was adulterated in that a substance deficient in fat and containing excessive moisture had been substituted in part for the said article, and had been mixed and packed with it so as to reduce, lower, and injuriously affect its quality and strength.

Misbranding was alleged for the reason that the article was offered for sale under the distinctive name of another article.

On September 25, 1928, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

ARTHUR M. HYDE, *Secretary of Agriculture.*

**16121. Adulteration and misbranding of Lee's Creo-Lyptus. U. S. v. 108¾ Dozen Bottles, et al., of Lee's Creo-Lyptus. Decree of condemnation and forfeiture. Product released under bond. (F. & D. Nos. 23114, 23115. S. Nos. 1207, 1208.)**

On October 1, 1928, the United States attorney for the District of Maryland, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district libels praying seizure and condemnation of 134¾ dozen bottles of Lee's Creo-Lyptus, remaining in the original unbroken packages at Baltimore, Md., alleging that the article had been shipped by Walter Janvier (Inc.), from New York, N. Y., in various consignments, on or about November 18, 1927, May 15, and May 25, 1928, respectively, and transported from the State of New York into the State of Maryland, and charging adulteration and misbranding in violation of the food and drugs act as amended.

Analysis of a sample of the article by this department showed that it consisted essentially of ammonium chloride, chloroform, extracts of plant drugs, traces of volatile oils, a possible trace of creosote, sugar, alcohol, and water.

It was alleged in the libels that the article was adulterated in that its strength, quality, and purity fell below the professed standard under which it was sold, in that it had no antiseptic action on the lungs, was not an active germicide, and was not an antiseptic.

Misbranding was alleged for the reason that the following statements appearing on the labeling were false and misleading: (Bottle label) "Creo \* \* \*. An emulsified Creosote, Eucalyptus, and pine preparation \* \* \*. Contents of this package are guaranteed to comply with all Federal and State Pure Food Laws;" (poster) "Creo \* \* \*. An emulsified Creosote, Eucalyptus, and Pine Preparation;" (display card) "Creo." Misbranding was alleged for the further reason that the following statements appearing on the labeling were false and fraudulent: (Display card) "For Coughs, Colds, and Bronchial Congestion. Quick Relief to Persistent and Chronic Cases \* \* \*. "Spasmodic Croup and Whooping Cough \* \* \*. Stops Coughs in 5 Minutes \* \* \*. Creosote—It is used in the treatment of tuberculosis, pneumonia, and bronchitis \* \* \*. Creosote was originally introduced in the treatment of tuberculosis on account of its antiseptic action on the lungs. Its beneficial influence in this disease can be ascribed to its stimulating effect on the bronchial mucous membrane. For this action it is also a very valuable drug in the treatment of all types of chronic bronchitis. It is considered very reliable in the treatment of chronic inflammation of the air passages. Creosote if taken over a short period of time is taken in the blood tract and carried to the lungs, saturating them to the extent that it is next to impossible for pneumonia germs to exist \* \* \*. Used as an expectorant in bronchitis and Spasmodic Croup \* \* \*. An active germicide \* \* \* an antiseptic especially in the treatment of infections of the upper respiratory tract, and \* \* \* in chronic bronchitis and tuberculosis. It has been especially praised in asthma. \* \* \* in the treatment of Asthma and Bronchitis where there is a tendency to dyspnoea (difficult or labored breathing) and bronchial spasm. In chronic bronchitis of aged persons it is particularly salutary. It has been especially useful in the treatment of \* \* \* Catarrhal affections, Coughs, Colds, Croup, Whooping Cough, Asthma, etc.;" (poster) "Stop that Cough, Cold, or Croup \* \* \*, quickly relieves persistent Coughs, Colds, Spasmodic Croup, Bronchial Asthma, Whooping Cough. Prevents Pneumonia;" (bottle label) "Quickly relieves persistent Coughs, Colds, Spasmodic Croup, Bronchial Congestion, Whooping Cough. \* \* \* until relieved \* \* \*. For whooping cough and croup \* \* \*. Creo-Lyptus should be taken regularly according to directions as long as cough is evident. Inflamed tissues are quickly relieved \* \* \*. For better results in Severe cases."

On or about October 29, 1928, the Creo-Lyptus Co. (Inc.), Kansas City, Mo., having appeared as claimant for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be released to the said claimant upon payment of costs and the execution of a bond in the sum of \$1,000, conditioned in part that it be relabeled to conform to the requirements of the Federal food and drugs act.

ARTHUR M. HYDE, *Secretary of Agriculture.*

**16122. Misbranding of alfalfa meal. U. S. v. 400 Sacks of Alfalfa Meal. Decree of condemnation and forfeiture. Product released under bond. (F. & D. No. 23151. I. S. No. 014226. S. No. 1249.)**

On or about October 18, 1928, the United States attorney for the Western District of Texas, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying seizure and condemnation of 400 sacks of alfalfa meal, remaining in the original unbroken packages at San Antonio, Texas, alleging that the article had been shipped by the Pecos Valley Alfalfa Mill Co., from Dexter, N. Mex., on or about September 1, 1928, and transported from the State of New Mexico into the State of Texas, and charging misbranding in violation of the food and drugs act as amended. The article was labeled in part: "100 Lbs. (Net) Alfalfa Meal Manufactured by Pecos Valley Alfalfa Mill Company, Hagerman, New Mexico."

It was alleged in the libel that the article was misbranded in that the statement "100 Lbs. Net" was false and misleading and deceived and misled the purchaser, since an examination of the product showed it to be short weight.



Misbranding was alleged for the further reason that the article was food in package form and failed to bear a plain and conspicuous statement of the quantity of the contents.

On November 13, 1928, the Pecos Valley Alfalfa Mill Co., Hagerman, N. Mex., and the Maracheau Grain Co., San Antonio, Tex., having appeared and filed answer, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be released to the owner, the Maracheau Grain Co., upon payment of costs and the execution of a bond in the sum of \$500, conditioned in part that the sacks be filled to the full weight declared on the labels.

ARTHUR M. HYDE, *Secretary of Agriculture.*

**16123. Adulteration and misbranding of Lee's Creo-Lyptus.** U. S. v. 423¾ Dozen Bottles, et al., of Lee's Creo-Lyptus. Consent decree of condemnation and forfeiture. Product released under bond. (F. & D. Nos. 23111, 23112. I. S. Nos. 047, 048. S. Nos. 1200, 1201.)

On October 1, 1928, the United States attorney for the Northern District of California, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying seizure and condemnation of 1,683¾ dozen bottles of Lee's Creo-Lyptus, remaining in the original unbroken packages at San Francisco, Calif., alleging that the article had been shipped by the Creo-Lyptus Co., from Peoria, Ill., on or about August 8, 1928, and transported from the State of Illinois into the State of California, and charging adulteration and misbranding in violation of the food and drugs act as amended.

Analysis of a sample of the article by this department showed that it consisted essentially of ammonium chloride, chloroform, extracts of plant drugs, traces of volatile oils, a possible trace of creosote, sugar, alcohol, and water.

It was alleged in the libel that the article was adulterated in that its strength, quality, and purity fell below the professed standard under which it was sold, in that it had no antiseptic action on the lungs, it was not an active germicide, and was not an antiseptic.

Misbranding was alleged for the reason that the following statements appearing on the labeling were false and misleading: (Bottle label) "Creo \* \* \* . An emulsified Creosote, Eucalyptus, and pine preparation \* \* \* . Contents of this package are guaranteed to comply with all Federal and State Pure Food Laws;" (poster) "Creo \* \* \* . An emulsified Creosote, Eucalyptus, and Pine Preparation;" (display card) "Creo." Misbranding was alleged for the further reason that the following statements appearing on the labeling were false and fraudulent; (Display card) "For Coughs, Colds, and Bronchial Congestion. Quick Relief to Persistent and Chronic Cases \* \* \* . Spasmodic Croup and Whooping Cough \* \* \* . Stops Coughs in 5 Minutes \* \* \* . Creosote—It is used in the treatment of tuberculosis, pneumonia, and bronchitis \* \* \* . Creosote was originally introduced in the treatment of tuberculosis on account of its antiseptic action on the lungs. \* \* \* its effect on the bronchial mucous membrane. For this action it is also a very valuable drug in the treatment of all types of chronic bronchitis. It is considered very reliable in the treatment of chronic inflammation of the air passages. Creosote if taken over a short period of time is taken in the blood tract and carried to the lungs, saturating them to the extent that it is next to impossible for pneumonia germs to exist \* \* \* . Used as an expectorant in bronchitis and Spasmodic Croup \* \* \* . An active germicide \* \* \* an antiseptic especially in the treatment of infections of the upper respiratory tract, and \* \* \* in chronic bronchitis and tuberculosis. It has been especially praised in asthma. \* \* \* in the treatment of Asthma and Bronchitis where there is a tendency to dyspnoea (difficult or labored breathing) and bronchial spasm. In chronic bronchitis of aged persons it is particularly salutary. It has been especially useful in the treatment of Whooping Cough and Spasmodic Croup \* \* \* . Asserted in the treatment of Catarrhal affections, Coughs, Colds, Croup, Whooping Cough, Asthma, etc.;" (poster) "Stop that Cough, Cold, or Croup \* \* \* . Quickly relieves persistent Coughs, Colds, Spasmodic Croup, Bronchial Asthma, Whooping Cough, Prevents Pneumonia;" (bottle label) "Quickly relieves persistent Coughs, Colds, Spasmodic Croup, Bronchial Congestion, Whooping Cough \* \* \* until relieved \* \* \* . For whooping cough and croup \* \* \* Creo-Lyptus should be taken regularly according to directions as long as cough is evident. Inflamed tissues are quickly relieved \* \* \* . For better results in Severe cases."



On November 15, 1928, the Creo-Lyptus Co. (Inc.), Kansas City, Mo., having appeared as claimant for the property and having consented to the entry of a decree, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be released to the said claimant upon payment of costs and the execution of a bond in the sum of \$4,000, conditioned in part that it be made to conform to and with the provisions of the Federal food and drugs act under the supervision of this department.

ARTHUR M. HYDE, *Secretary of Agriculture.*

**16124. Adulteration and misbranding of peaches. U. S. v. 396 Baskets, et al., of Peaches. Default decrees of condemnation, forfeiture, and destruction.** (F. & D. Nos. 23029, 23072. I. S. Nos. 03456, 03457. S. Nos. 1034, 1048.)

On July 26 and July 31, 1928, respectively, the United States attorney for the District of Maryland, acting upon reports by the Secretary of Agriculture, filed in the District Court of the United States for said district libels praying seizure and condemnation of 591 baskets of peaches, remaining in the original unbroken packages at Baltimore, Md., alleging that the article had been shipped by C. L. Pennington, from Echeconnee, Ga., and transported from the State of Georgia into the State of Maryland, and charging adulteration and misbranding in violation of the food and drugs act. The article was labeled in part: "Dixie Highway Brand Georgia Peaches Grown and Packed by C. L. Pennington, Macon, Ga." A portion of the article consisting of 387 baskets was further labeled "Elbertas AA U S 1 2 In. Minimum."

It was alleged in the libels that the article was adulterated in that it consisted in part of a filthy, decomposed, or putrid vegetable substance. Adulteration was alleged with respect to 387 baskets of the article for the further reason that a substance, peaches not of United States Grade No. 1, had been substituted wholly or in part for the article.

Misbranding was alleged with respect to the said 387 baskets of the article for the reason that it was offered for sale under the distinctive name of another article, namely, peaches United States Grade No. 1, and in that the statement, "U. S. Grade No. 1," borne on the label, was false and misleading and deceived and misled the purchaser.

On August 17 and September 8, 1928, respectively, no claimant having appeared for the property, judgments of condemnation and forfeiture were entered, and it was ordered by the court that the product be destroyed by the United States marshal.

ARTHUR M. HYDE, *Secretary of Agriculture.*

**16125. Misbranding of cottonseed meal and cottonseed cake. U. S. v. Rule-Jayton Cotton Oil Co. Pleas of guilty. Fines, \$110.** (F. & D. Nos. 22539, 22585. I. S. Nos. 8446-x, 12680-x, 12689-x, 15011-x, 15016-x, 15017-x, 15179-x, 15180-x, 23064-x, 23065-x, 23068-x.)

On May 10, 1928, and September 11, 1928, respectively, the United States attorney for the Northern District of Texas, acting upon reports by the Secretary of Agriculture, filed in the District Court of the United States for said district two informations against the Rule-Jayton Cotton Oil Co., a Texas corporation, having its principal place of business at Stamford, Tex., alleging shipment by said company, in part under the name of the Stamford Cotton Oil Mill, in part under the name of the Jayton Cotton Oil Mill, and in part under the name of the Rule Cotton Oil Mill, in violation of the food and drugs act, in various consignments between the dates of July 31, 1926 and November 27, 1927, from the State of Texas into the States of Kansas, Wyoming, and Colorado, respectively, of quantities of cottonseed meal and cottonseed cake which were misbranded. The articles were labeled variously in part: "43% Protein Cottonseed Meal (or "Cake") Prime Quality Manufactured by Stamford Cotton Oil Mill Stamford, Texas. Guaranteed Analysis: Crude Protein 43 per cent (or "Guaranteed Analysis Crude Protein not less than 43.00 Per Cent);" "Equity Brand Cotton Seed Meal and Cake Guaranteed Analysis Protein, not less than 43%;" "Guaranteed Analysis Protein, not less than 43% \* \* \* Choctaw Sales Company \* \* \* Kansas City, Missouri;" "43% Protein Cottonseed Cake Prime Quality Manufactured by Jayton Cotton Oil Mill, Jayton, Texas, Guaranteed Analysis Crude Protein not less than 43.00 Per Cent;" "43 Per Cent Protein Cottonseed Cake (or "Meal") Prime Quality Manufactured by Rule Cotton Oil Mill, Rule, Texas Guaranteed Analysis Crude Protein not less than 43.00 Per Cent."

It was alleged in the informations that the articles were misbranded in that the statements, to wit, "43% Protein Cottonseed Meal," "43% Protein Cottonseed Cake," and "43 Per Cent Protein Cottonseed Cake," with respect to portions of the said articles, were false and misleading in that the said statements represented that the said portions were 43 per cent protein cottonseed cake or meal, and for the further reason that they were labeled as aforesaid so as to deceive and mislead the purchaser into the belief that they were 43 per cent protein cottonseed cake or meal, whereas they were not in that they contained less than 43 per cent of protein, and for the further reason that the statements, "Guaranteed Analysis Crude Protein 43 per cent," "Guaranteed Analysis Protein not less than 43%," "Guaranteed Analysis Crude Protein not less than 43.00 Per Cent," borne on the tags attached to the sacks containing the articles, were false and misleading in that the said statements represented that the articles contained not less than 43 per cent of protein, or crude protein, and for the further reason that they were labeled as aforesaid so as to deceive and mislead the purchaser into the belief that they contained not less than 43 per cent of protein or crude protein, whereas the said articles contained less protein, or crude protein, than so represented.

On October 22, 1928, pleas of guilty to the informations were entered on behalf of the defendant company, and the court imposed fines aggregating \$110.

ARTHUR M. HYDE, *Secretary of Agriculture.*

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# United States Department of Agriculture

## FOOD, DRUG, AND INSECTICIDE ADMINISTRATION

### NOTICES OF JUDGMENT UNDER THE FOOD AND DRUGS ACT

[Given pursuant to section 4 of the food and drugs act]

16126-16150

[Approved by the Secretary of Agriculture, Washington, D. C., June 28, 1929]

**16126. Adulteration of canned sardines. U. S. v. 6½ Cases, et al., of Sardines. Default decrees of destruction entered.** (F. & D. Nos. 23050, 23125. I. S. Nos. 02475, 02539. S. Nos. 1130, 1225.)

On September 4 and October 8, 1928, respectively, the United States attorney for the District of Massachusetts, acting upon reports by the Secretary of Agriculture, filed in the District Court of the United States for said district libels praying seizure and condemnation of 11 cases of sardines, remaining in the original unbroken packages, in part at Boston, Mass., and in part at Salem, Mass., consigned about May 29, 1928, and June 15, 1928, respectively, alleging that the article had been shipped by the Sunset Packing Co., Pembroke, Me., and transported from the State of Maine into the State of Massachusetts, and charging adulteration in violation of the food and drugs act. The article was labeled in part: "Sunco Brand Sardines Sunset Packing Co., Inc., West Pembroke, Me."

It was alleged in the libels that the article was adulterated in that it consisted in part of a decomposed animal substance.

On December 14, 1928, no claimant having appeared for the property, judgments were entered by default ordering that the product be destroyed by the United States marshal.

ARTHUR M. HYDE, *Secretary of Agriculture.*

**16127. Adulteration of pecan halves. U. S. v. 1 Barrel of Pecan Halves. Consent decree of condemnation and forfeiture. Product released under bond.** (F. & D. No. 23199. I. S. No. 03603. S. No. 1298.)

On November 19, 1928, the United States attorney for the Southern District of New York, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying seizure and condemnation of 1 barrel of pecan halves at New York, N. Y., alleging that the article had been shipped by the D. Calamari Co., from Chicago, Ill., on or about July 3, 1928, and transported from the State of Illinois into the State of New York, and charging adulteration in violation of the food and drugs act. The article was labeled in part: "Calamari \* \* \* Selected Pecans."

It was alleged in the libel that the article was adulterated in that it consisted in part of a filthy and decomposed vegetable substance.

On December 4, 1928, Wood & Selick (Inc.), New York, N. Y., claimant, having admitted the allegations of the libel and having consented to the entry of a decree, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be released to the said claimant upon payment of costs and the execution of a bond in the sum of \$250, conditioned in part that the good nuts be separated from the bad and the latter destroyed or denatured.

ARTHUR M. HYDE, *Secretary of Agriculture.*

**16128. Adulteration and misbranding of butter. U. S. v. 20 Cases of Butter. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 22976. I. S. No. 02657. S. No. 965.)**

On or about July 13, 1928, the United States attorney for the Western District of New York, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying seizure and condemnation of 20 cases of butter, remaining in the original unbroken packages at Olean, N. Y., alleging that the article had been shipped by the McKean County Creamery, Smethport, Pa., July 12, 1928, and transported from the State of Pennsylvania into the State of New York, and charging adulteration and misbranding in violation of the food and drugs act.

It was alleged in the libel that the article was adulterated in that a product deficient in butterfat and containing excessive moisture had been mixed and packed with and substituted wholly or in part for the said article, and in that a valuable constituent, butterfat, had been wholly or in part abstracted.

Misbranding was alleged for the reason that the article was an imitation of or offered for sale under the distinctive name of another article. Misbranding was alleged for the further reason that the following statements, borne on the labels, were false and misleading and deceived and misled the purchaser: "Net Weight One Pound;" (retail package) "This butter is made from pure cream and on account of its high, rich, delicate flavor should be kept in a cool place entirely away from vegetables and other like products. This wrapper acts as a protection and should be retained on butter Until Used;" (carton) "McKean County Creamery, Smethport, Penna. Pure Creamery Butter. This butter is churned from Purest Cream and in this package will retain its Purity and Sweetness—One Pound Net;" (wholesale package) "30 prints packed in unlabeled and unmarked fiber shipping cases."

On October 18, 1928, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

ARTHUR M. HYDE, *Secretary of Agriculture.*

**16129. Adulteration of frozen poultry. U. S. v. 1 Barrel of Frozen Poultry. Default decree of destruction entered. (F. & D. No. 22936. I. S. No. 02818. S. No. 998.)**

On August 3, 1928, the United States attorney for the District of Massachusetts, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying seizure and condemnation of 1 barrel of frozen poultry, remaining in the original unbroken packages at Springfield, Mass., consigned about July 17, 1928, alleging that the article had been shipped by W. S. Buchart, Buffalo, N. Y., and transported from the State of New York into the State of Massachusetts, and charging adulteration in violation of the food and drugs act.

It was alleged in the libel that the article was adulterated in that it consisted in part of a filthy, decomposed, and putrid animal substance, in that it consisted in part of a portion of an animal unfit for food, and in that it was the product of a diseased animal.

On December 14, 1928, no claimant having appeared for the property, judgment by default was entered ordering that the product be destroyed by the United States marshal.

ARTHUR M. HYDE, *Secretary of Agriculture.*

**16130. Adulteration and misbranding of cloves. U. S. v. 25 Cases of Cloves. Default decree of condemnation and destruction. (F. & D. No. 22484. I. S. No. 2791-x. S. No. 601.)**

On or about February 28, 1928, the United States attorney for the District of Kansas, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying seizure and condemnation of 25 cases of cloves, remaining in the original packages at Wichita, Kans., alleging that the article had been shipped by the Biston Coffee Co., from St. Louis, Mo., on or about January 28, 1928, and transported from the State of Missouri into the State of Kansas, and charging adulteration and misbranding in violation of the food and drugs act. The article was labeled in part: "Cloves, Pure Ground Spices."

It was alleged in the libel that the article was adulterated in that foreign matter had been mixed and packed with and substituted in part for the said article.

Misbranding was alleged for the reason that the designation "Cloves" was false and misleading and deceived and misled the purchaser, and in that the article was an imitation of and offered for sale under the distinctive name of another article.

On September 24, 1928, no claimant having appeared for the property, judgment of condemnation was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

ARTHUR M. HYDE, *Secretary of Agriculture.*

**16131. Misbranding of Cholérine. U. S. v. 60 Quart Containers, et al., of Cholérine. Default decree of condemnation, forfeiture, and destruction.** (F. & D. No. 22639. I. S. 12948-x. S. No. 641.)

On March 21, 1928, the United States attorney for the Western District of Washington, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying seizure and condemnation of 60 quart containers, 30 gallon containers and ten 5-gallon containers of Cholérine, remaining in the original unbroken packages at Seattle, Wash., alleging that the article had been shipped by the Germa Manufacturing Co., from Los Angeles, Calif., arriving at Seattle, about October 8, 1927, and had been transported from the State of California into the State of Washington, and charging misbranding in violation of the food and drugs act as amended.

Analysis of a sample of the article by this department showed that it consisted essentially of sodium, iron, and magnesium sulphates, extract of red pepper, sassafras oil, and free acid, colored red with a coal-tar dye.

It was alleged in the libel that the article was misbranded in that the following statements borne on the labeling, (bottle label) "Cholérine \* \* \* Unequaled in the treatment of Cholera, Roup, White Diarrhoea, \* \* \* and other diseases of poultry \* \* \*. In treating cases of Cholera, Roup, and Limberneck, \* \* \*. Prevention is better than cure. To ward off disease and \* \* \* to keep your flock in a healthy vigorous condition at all times \* \* \*. As a special aid in preventing and treating some forms of Diarrhoea or bowel trouble \* \* \*. When baby chicks are noticeably affected \* \* \*. White Diarrhoea is a germ disease and requires \* \* \* Cholérine, to prevent its ravages. As a preventive," (circular entitled "What is Cholérine?") "Cholérine \* \* \* A Scientific Preparation which Supplies the Necessary Minerals to your Flock. Cholérine is a \* \* \* Body Builder. A Prophylactic aid in the prevention of many poultry diseases. 'A Healthy Bird Resists Disease.' A positive cure for Bacillus Pullorum (White Diarrhoea) and Coccidiosis (Blood Diarrhoea) in young chicks. Keeps Adult Fowls in Healthy Condition \* \* \*. Cholérine is a Scientific Preparation so compounded as to supply the Mineral elements necessary for the maintenance of your flock. Cholérine is a Body and Vitality Builder \* \* \*. It lessens the work of digestion, cleanses the intestinal tracts, and helps greatly toward keeping your flock in a generally healthy condition \* \* \*. Health and Vitality must be maintained in their flocks for \* \* \* small mortality \* \* \*. Even with best feeds, plenty greens, and carefully apportioned rations, there are certain essential mineral elements necessary which can only be obtained by feeding Cholérine. When used all the year round, according to directions, Cholérine will positively reduce death losses, act as a distinct preventive of disease \* \* \* and insure a healthy production of baby chicks. Cholérine \* \* \* will improve your flock to such an extent that you cannot fail to see the long-wished-for result and the healthy, happy hen \* \* \*. Cholérine for Baby Chicks: It will \* \* \* decrease your death loss \* \* \* making a strong healthy body \* \* \*. Should diseases break out among young chicks, such as White Diarrhoea, Coccidiosis, Nutritional disease, etc., give \* \* \* until disease abates \* \* \* chicks very noticeably affected \* \* \* pour \* \* \* down their throats \* \* \*. For Sick Hens and Pullets: \* \* \* in severe cases," (circular entitled "That Healthy Look") "That Healthy Look! Give Your Chicks A Good Start. Cholérine in Drinking Water or Feed insures Healthy, Vigorous, Rapid Growth, during those dangerous first six weeks. Save your Baby Chicks—Make and Keep Your Mature Flock Healthy, Vigorous \* \* \*. As soon as the chicks are placed under the brooder \* \* \* give them a drink \* \* \* to which has been added \* \* \* Cholérine \* \* \*. Prevention of disease is better than to cure. The most prevalent diseases in chicks are digestive disorders, such as Loose Bowels, Indigestion, Common Diarrhoea, and the more serious Bacillary White Diarrhoea \* \* \*. Nutritional Disease. Chicks fed regularly with Cholérine rarely develop this



disease \* \* \*. Germo Cholérine for Poultry. Cholérine given two or three times a week in early morning drinking water only will keep them in perfect health \* \* \*. How to Use Germo Cholérine. Follow instructions carefully and you will obtain the desired results from Germo Cholérine \* \* \*. Disease Dosage for Baby Chicks. As a special aid in preventing and treating diarrhoea or bowel trouble \* \* \*. When baby chicks are noticeably affected, pour \* \* \* down their throats \* \* \*. White diarrhoea is a germ disease and requires \* \* \*. Cholérine to prevent its ravages \* \* \*. As a Preventive \* \* \* Feed Cholérine to Chicks \* \* \* Good health promises rapid growth \* \* \*. White Diarrhoea. The greatest scourge of the poultry industry is the dreaded disease of White Diarrhoea. It takes off the little chicks by the thousands all over the country every hatching season. The United States Government officially states in Farmers' Bulletin No. 957 that the loss from White Diarrhoea alone varies from 50 to 70 per cent of all chicks hatched. Cholérine is a sure and positive specific for White Diarrhoea, and it will prove its value a dozen times over, even in the smallest flock. Disease Dosage for Mature Fowls. In treating cases of Cholera, Roup, Diphtheria, Limberneck, and diseases common to mature fowls \* \* \*. It regulates the system—diverting the proper portion of feed to flesh making and the proper portion to egg production. It puts hens in a healthy, hustling, laying condition. 'Prevention is better than cure.' To ward off disease \* \* \* to keep flock in a healthy, vigorous condition at all times \* \* \*. Body Builder. Our Young Chickens had roup in the worst stage, and after using Cholérine we did not lose a one," were false and fraudulent, since the article contained no ingredient or combination of ingredients capable of producing the effects claimed.

On April 1, 1928, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

ARTHUR M. HYDE, *Secretary of Agriculture.*

**16132. Misbranding of Cholérine. U. S. v. Five 5-Gallon Containers, et al., of Cholérine. Default decree of destruction entered.** (F. & D. Nos. 22641, 22642. I. S. Nos. 17905-x, 17906-x, 17907-x, 17908-x. S. Nos. 657, 663.)

On March 20, 1928, the United States attorney for the District of Utah, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying seizure and condemnation of five 5-gallon containers, 6 gallon containers, two ½-gallon containers, 11 quart containers, and 18 pint containers of Cholérine in liquid form, and 20 cartons, small size, and 23 cartons, large size, of Cholérine in tablet form, remaining in the original unbroken packages at Salt Lake City, Utah, alleging that the article had been shipped by the Germo Manufacturing Co., from Los Angeles, Calif., in various consignments, on or about August 22, October 18, and November 18, 1927, and January 11, 1928, respectively, and transported from the State of California into the State of Utah, and charging misbranding in violation of the food and drugs act as amended.

Analysis of a sample of the article by this department showed that it consisted essentially of sodium, iron, and magnesium sulphates, extract of red pepper, sassafras oil, and free acid, colored red with a coal-tar dye.

It was alleged in the libel that the article was misbranded in that the following statements regarding the curative and therapeutic effects of the said article were false and fraudulent, since it contained no ingredient or combination of ingredients capable of producing the effects claimed: (Bottle label, liquid) "Cholérine \* \* \* unequalled in the treatment of Cholera, Roup, White Diarrhoea, and other diseases of poultry \* \* \*. In treating cases of Cholera, Roup and Limberneck \* \* \*. To ward off disease \* \* \* to keep your flock in a healthy vigorous condition at all times \* \* \*. As a special aid in preventing and treating some forms of Diarrhoea or bowel trouble \* \* \*. When baby chicks are noticeably affected \* \* \*. White Diarrhoea is a germ disease and requires \* \* \*. Cholérine to prevent its ravages. As a preventive;" (circular entitled "Germa Big Six Line for Poultry," accompanying liquid) "Cholérine \* \* \* Body Builder, Disease Eliminator \* \* \*. Cholérine is a scientific preparation so compounded as to supply the certain elements necessary for the maintenance of your flock. Cholérine is a Body and Vitality Builder \* \* \*. It lessens the work of digestion, cleanses the intestinal tracts, and helps greatly toward keeping your flock in a generally healthy condition \* \* \*. Reliable body builder \* \* \*.

How it works. Immediately after the treatment starts, Cholérine begins to dissolve the mucous that forms on the intestines and adheres to the sides, which mucous prevents the proper functioning of the digestive organs \* \* \*. By Eliminating the mucous, all nutrients are assimilated \* \* \*. Keep your hens clean inside \* \* \*. Cholérine \* \* \* will improve your flock to such an extent that you cannot fail to see the long-wished-for result and the healthy, happy hen \* \* \*. It will \* \* \* decrease your death loss, giving the baby chick a normal appetite from the beginning, making a strong, healthy body \* \* \*. "Should diseases break out among young chicks, such as White Diarrhoea, Coccidiosis, Nutritional disease, etc., give \* \* \* until disease abates. \* \* \* chicks very noticeably affected \* \* \* pour down their throats \* \* \*. For Sick Hens and Pullets \* \* \* in severe cases;" (circular entitled "Giving the Chick a Chance," accompanying liquid) "Prevention of disease is better than to cure. The best way to prevent disease among young chicks is to build up its body in such a way that it will become disease-resisting, and for this purpose Germe Cholérine is invaluable \* \* \*. Coccidiosis (Bloody Diarrhoea) is the most dreaded of all diseases of young chicks \* \* \*. Treatment \* \* \*. Give Cholérine \* \* \* and continue until the disease has abated or entirely disappeared. During this period be sure that Cholérine is constantly before them. If some of the chicks are too sick to drink pour down \* \* \* their throats \* \* \*. This will save every chick not too far gone with the disease. Chicks given Cholérine from the start as recommended rarely develop this malady. \* \* \* Cholérine Given Two or Three Times A Week \* \* \* will keep them in perfect health;" (carton, tablets) "Cholérine \* \* \* unequaled in the treatment of Cholera, Roup, Limberneck, White Diarrhoea, and other diseases of Poultry \* \* \*. In treating cases of Cholera, Roup, Limberneck, and diseases known to mature fowls \* \* \*. It regulates the system—diverting the proper portion of food to flesh-making and the proper portion to egg production. It puts hens in a healthy, hustling, laying condition \* \* \*. To ward off disease \* \* \* to keep flock in a healthy, vigorous condition at all times \* \* \*. As a special aid in preventing and treating some forms of Diarrhoea, or bowel trouble \* \* \*. When baby chicks are noticeably affected \* \* \*. White Diarrhoea is a germ disease and requires \* \* \* Cholérine to prevent its ravages. As a preventive \* \* \*. Feed Cholérine to chicks \* \* \*. Good health promotes rapid growth."

On May 7, 1928, no claimant having appeared for the property, a decree was entered adjudging the product misbranded, and it was ordered by the court that the said product be destroyed by the United States marshal.

ARTHUR M. HYDE, *Secretary of Agriculture.*

**16133. Misbranding of Cholérine. U. S. v. 72 Bottles, et al., of Cholérine. Default decree of condemnation, forfeiture, and destruction.**  
(F. & D. No. 22646. I. S. Nos. 17426-x, 17427-x. S. Nos. 672, 673.)

On March 22, 1928, the United States attorney for the District of Oregon, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying seizure and condemnation of seventy-two 8-ounce bottles, 66 pint bottles, 22 quart bottles, 43 half-gallon bottles, 90 gallon bottles, eight 5-gallon bottles, eight 10-gallon kegs, and one 50-gallon barrel of Cholérine, remaining in the original unbroken packages at Portland, Oreg., consigned in various lots on or about January 7, March 1, and September 5, 1926, and May 11, 1927, respectively, alleging that the article had been shipped by the Germe Manufacturing Co., from Wilmington, Calif., and transported from the State of California into the State of Oregon, and charging misbranding in violation of the food and drugs act as amended.

Analysis of a sample of the article by this department showed that it consisted essentially of sodium, iron, and magnesium sulphates, extract of red pepper, saffras oil, and free acid, colored red with a coal-tar dye.

It was alleged in the libel that the article was misbranded in that the following statements regarding the curative and therapeutic effects of the said article were false and fraudulent, since it contained no ingredient or combination of ingredients capable of producing the effects claimed: (Circular in an envelope tacked to barrel and kegs) "Save These Directions and Follow. Cholérine is a preventative for Chickenpox, Roup, Common Diarrhoea, Coccidiosis (bloody diarrhoea), Limber Neck, Diphtheria, and Canker Sores, and is a sure death to worms \* \* \*. As a special aid in preventing and treating some forms of Diarrhoea or bowel trouble, we recommend four tablespoonfuls to one gallon of water. When baby chicks are noticeably affected, pour



\* \* \* down their throats \* \* \*. White Diarrhoea is a germ disease and requires \* \* \* Cholérine to prevent its ravages. As a preventive \* \* \*. For Sick Birds \* \* \*. In Severe Cases \* \* \*. For Removing Worms. For birds infested with worms;" (bottle label) "As a special aid in preventing and treating some forms of Diarrhoea or bowel trouble \* \* \*. When baby chicks are noticeably affected, pour \* \* \* down their throat \* \* \*. As a Preventive \* \* \* Cholérine \* \* \*. Unequalled in the treatment of Cholera, Roup, White Diarrhoea, and other Diseases of Poultry \* \* \*. In treating cases of Cholera, Roup, and Limberneck \* \* \*. Prevention is better than cure. To ward off disease and \* \* \* to keep your flock in a healthy vigorous condition at all times;" (yellow circular accompanying portion of product, headed "What is Cholérine?") "Cholérine \* \* \*. A Scientific Preparation which supplies the necessary minerals to your flock. A Preventive for Chickenpox, Roup, Common Diarrhoea, Coccidiosis (Bloody Diarrhoea), Limber Neck, Diphtheria, and Canker Sores, and is sure death to worms \* \* \*. Cholérine is a Scientific preparation so compounded as to supply the mineral elements necessary for the maintenance of your flock. Cholérine is a body and vitality builder \* \* \*. It lessens the work of digestion, cleanses the intestinal tracts and glands, and helps greatly toward keeping your flock in a generally healthy condition. All Poultrymen agree that Health and Vitality must be maintained in their flocks for \* \* \* small mortality \* \* \*. Even with the best feeds, plenty greens, and carefully apportioned rations, there are certain essential mineral elements necessary which can only be obtained by feeding Cholérine. When used all the year round, according to directions, Cholérine will positively reduce death losses, act as a distinct preventive of disease \* \* \* and insure a healthy production of baby chicks. Cholérine \* \* \* will improve your flock to such an extent that you can not fail to see the long-wished-for result and the healthy, happy hen \* \* \*. Cholérine for baby chicks.—It will help them to digest the yolk of the egg, and decrease your death loss, giving the baby chick a normal appetite from the beginning, making a strong, healthy body \* \* \*. As a special aid in preventing and treating Diarrhoea or Bowel trouble \* \* \*. When baby chicks are noticeably affected, pour \* \* \* down their throats \* \* \*. White Diarrhoea is a germ disease and requires \* \* \* Cholérine to prevent its ravages. As a preventive \* \* \*. For sick hens and pullets \* \* \*. In severe cases \* \* \* for removing Worms. For Hens and Pullets Infested with Worms;" (white circular headed "What is Cholérine?" accompanying portion of product) "Cholérine \* \* \*. A Scientific Preparation Which Supplies the Necessary Minerals to Your Flock. Cholérine is a \* \* \* Body Builder A Prophylactic Aid in the Prevention of Many Poultry Diseases 'A Healthy Bird Resists Disease' A positive cure for Bacillus Pullorum (White Diarrhoea) and Coccidiosis (Bloody Diarrhoea) in Young Chicks Keeps Adult Fowls in Healthy Condition \* \* \* Cholérine is a scientific preparation so compounded as to supply the mineral elements necessary for the maintenance of your flock. Cholérine is a body and vitality builder \* \* \*. It lessens the work of digestion, cleanses the intestinal tracts, and helps greatly toward keeping your flock in a generally healthy condition. All poultry men agree that health and vitality must be maintained in their flocks for \* \* \* small mortality \* \* \*. Even with best feeds, plenty greens, and carefully apportioned rations, there are certain essential mineral elements necessary which can only be obtained by feeding Cholérine. When used all the year around, according to directions, Cholérine will positively reduce death losses, act as a distinct preventive of disease \* \* \* and insure a healthy production of baby chicks. Cholérine \* \* \* will improve your flock to such an extent that you can not fail to see the long-wished-for result and the healthy, happy hen \* \* \* which always follows the use of Cholérine \* \* \*. Cholérine for baby chicks: It will help them to digest the yolk of the egg, and decrease your death loss, giving the baby chick a normal appetite from the beginning, making a strong healthy body \* \* \*. Should diseases break out among your chicks, such as White Diarrhoea, Coccidiosis Nutritional diseases, etc., give \* \* \* until disease abates. Segregate chicks very noticeably affected and pour \* \* \* down their throats \* \* \*. For sick hens and pullets: \* \* \* In severe cases."

On May 9, 1928, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

ARTHUR M. HYDE, *Secretary of Agriculture.*



**16134. Adulteration of butter. U. S. v. 12 Tubs of Butter. Consent decree of condemnation and forfeiture. Product released under bond.** (F. & D. No. 22850. I. S. No. 20528-x. S. No. 937.)

On June 28, 1928, the United States attorney for the District of Columbia, acting upon a report by the Secretary of Agriculture, filed in the Supreme Court of the district aforesaid, holding a District Court, a libel praying seizure and condemnation of 12 tubs of butter, remaining in the original unbroken packages at Washington, D. C., alleging that the article had been shipped by the Culpeper Creamery, from Culpeper, Va., June 25, 1928, and transported from the State of Virginia into the District of Columbia, and charging adulteration in violation of the food and drugs act.

It was alleged in the libel that the article was adulterated in that a product deficient in milk fat had been substituted for butter, which the said article purported to be, for the further reason that a product which contained less than 80 per cent by weight of milk fat had been substituted for butter, a product which should contain not less than 80 per cent by weight of milk fat, as prescribed by the act of March 4, 1923, and for the further reason that a valuable constituent of the article had been wholly or in part abstracted.

On July 12, 1928, G. M. Shelor, Culpeper, Va., claimant, having admitted the allegations of the libel and having consented to the entry of a decree, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be released to the said claimant upon payment of costs and the execution of a bond in the sum of \$500, conditioned in part that it should not be sold or otherwise disposed of contrary to law.

ARTHUR M. HYDE, *Secretary of Agriculture.*

**16135. Adulteration of butter. U. S. v. 9 Tubs of Butter. Decree of condemnation and forfeiture. Product released under bond.** (F. & D. No. 22908. I. S. No. 21307-x. S. No. 933.)

On June 30, 1928, the United States attorney for the District of Maryland, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying seizure and condemnation of 9 tubs of butter, remaining in the original unbroken packages at Baltimore, Md., alleging that the article had been shipped by the Land O'Lakes Creameries (Inc.), from Duluth, Minn., and transported from the State of Minnesota into the State of Maryland, and charging adulteration in violation of the food and drugs act. The article was labeled in part: "Land O'Lakes Creameries, Inc. Duluth, Minn."

It was alleged in the libel that the article was adulterated in that a substance low in milk fat had been mixed and packed therewith so as to reduce, lower, and injuriously affect its quality and strength, and had been substituted wholly or in part for butter, a product which should contain not less than 80 per cent by weight of milk fat as prescribed by the act of March 4, 1923.

On July 18, 1928, the Land O'Lakes Creameries (Inc.), Minneapolis, Minn., having appeared as claimant for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be released to the said claimant upon payment of costs and the execution of a bond in the sum of \$300, conditioned in part that it should not be sold or disposed of contrary to law, and that it be reconditioned to conform to the requirements of the Federal food and drugs act.

ARTHUR M. HYDE, *Secretary of Agriculture.*

**16136. Adulteration of pecans. U. S. v. 10 Sacks of Pecans (In Shell). Default decree of condemnation, forfeiture, and destruction.** (F. & D. No. 23207. I. S. No. 02870. S. No. 1307.)

On November 22, 1928, the United States attorney for the Southern District of New York, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying seizure and condemnation of 10 sacks of pecans in shell at New York, N. Y., consigned in interstate commerce by the South Georgia Pecan Nut Co., Valdosta, Ga., about February 2, 1928, charging that the article was adulterated in violation of the food and drugs act. The article was labeled in part: "From South Georgia Pecan Nut Co. Valdosta, Georgia, to J. B. Cavagnaro Company 110 Park Place, New York City."

It was alleged in the libel that the article was adulterated in that it consisted in part of shrivelled and empty nuts which had been substituted in part for

the said article, and for the further reason that it consisted in part of a filthy, decomposed, and putrid vegetable substance.

On December 10, 1928, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

ARTHUR M. HYDE, *Secretary of Agriculture.*

**16137. Adulteration and misbranding of citrate of magnesia. U. S. v. Max W. Robinson (New England Magnesia Co.). Plea of guilty. Fine, \$200. (F. & D. No. 22566. I. S. No. 16484-x.)**

On November 21, 1928, the United States attorney for the District of Massachusetts, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against Max W. Robinson, trading as the New England Magnesia Co., Boston, Mass., alleging shipment by said defendant, in violation of the food and drugs act, on or about July 26, 1927, from the State of Massachusetts into the State of Rhode Island, of a quantity of citrate of magnesia which was adulterated and misbranded. The article was labeled in part: "Solution of Citrate of Magnesia \* \* \* New England Magnesia Co. Boston, Mass. N E M C O U. S. P. IX—Rev. Solution Citrate of Magnesia U. S. P."

It was alleged in the information that the article was adulterated in that it was sold under and by a name recognized in the United States Pharmacopoeia and differed from the standard of strength, quality, and purity as determined by the tests laid down in said pharmacopoeia official at the time of investigation of the article, in that it contained magnesium citrate corresponding to 1.446 grams of magnesium oxide per 100 cubic centimeters, and contained in each 10 cubic centimeters total citric acid corresponding to 25 cubic centimeters of half-normal sulphuric acid, whereas said pharmacopoeia provided that solution of citrate of magnesia, to wit, solution of magnesium citrate, should contain in each 100 cubic centimeters magnesium citrate corresponding to not less than 1.5 grams of magnesium oxide, and should contain in each 10 cubic centimeters total citric acid corresponding to not less than 28 cubic centimeters of half-normal sulphuric acid, and the standard of the strength, quality, and purity of the said article was not declared on the container thereof. Adulteration was alleged for the further reason that the strength and purity of the article fell below the professed standard and quality under which it was sold, in that it was represented to conform to the tests for solution of citrate of magnesia laid down in the ninth revision of the United States Pharmacopoeia and was represented to conform to the tests laid down in said pharmacopoeia official at the time of investigation of the article, whereas it did not conform to the tests laid down in said pharmacopoeia, ninth revision, and did not conform to the tests laid down in said pharmacopoeia official at the time of investigation of the article.

Misbranding was alleged for the reason that the statements, to wit, "Solution of Citrate of Magnesia U. S. P. IX—REV." and "Solution Citrate of Magnesia U. S. P.," borne on the bottles containing the article, were false and misleading in that the said statements represented that the article was solution of citrate of magnesia which conformed to the standard laid down in the ninth revision of the United States Pharmacopoeia, and was solution of citrate of magnesia which conformed to the standard laid down in the said pharmacopoeia official at the time of investigation of the article, whereas it was not solution of citrate of magnesia which conformed to the United States Pharmacopoeia, ninth revision, and was not solution of citrate of magnesia which conformed to the standard laid down in the said pharmacopoeia official at the time of investigation of the article.

On December 10, 1928, the defendant entered a plea of guilty to the information, and the court imposed a fine of \$200.

ARTHUR M. HYDE, *Secretary of Agriculture.*

**16138. Adulteration and misbranding of canned salmon. U. S. v. 344 Cases of Canned Salmon. Consent decree of condemnation and forfeiture. Product released under bond. (F. & D. No. 23068. I. S. No. 02412. S. No. 1164.)**

On September 13, 1928, the United States attorney for the District of Maine, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying seizure and condemnation of 344 cases of canned salmon at Rockland, Me., alleging that the article had been shipped by Franklin H. Palmer (Inc.), from Boston, Mass.,



on or about July 18, 1928, and transported from the State of Massachusetts into the State of Maine, and charging adulteration and misbranding in violation of the food and drugs act. The article was labeled in part: (Cases) "Red Rambler Brand Red Salmon;" (cans) "Red Rambler Brand Salmon \* \* \* Red Rambler Brand Red Salmon Packed for Whitney-Ellsworth Co., Seattle, U. S. A."

It was alleged in the libel that the article was adulterated in that salmon of a different variety than red salmon, and of a lower quality than red salmon, had been mixed and packed with and substituted wholly for red salmon which the said article purported to be.

Misbranding was alleged for the reason that the designations "Red Rambler" and "Red Rambler Brand Red Salmon" were false and misleading and deceived and misled the purchaser, since the article was not red salmon but was salmon of a different variety and of a lower quality than red salmon.

On October 31, 1928, Franklin H. Palmer (Inc.), Boston, Mass., claimant, having admitted the allegations of the libel and having consented to the entry of a decree, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be released to the said claimant upon payment of costs and the execution of a bond in the sum of \$6,000, or the deposit of collateral in like amount, conditioned in part that the said product be reconditioned under the supervision of this department.

ARTHUR M. HYDE, *Secretary of Agriculture.*

**16139. Adulteration of canned cherries. U. S. v. 70 Cases, et al., of Canned Cherries. Consent decrees entered ordering product released under bond to be reconditioned.** (F. & D. Nos. 23103, 23104. I. S. Nos. 01682, 01685. S. Nos. 1189, 1190.)

On September 21, 1928, the United States attorney for the Northern District of Ohio, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district libels praying seizure and condemnation of 145 cases of canned cherries at Akron, Ohio, alleging that the article had been shipped by the Fredonia Salsina Canning Co. (Inc.), Fredonia, N. Y., on or about July 31, 1928, and transported from the State of New York into the State of Ohio, and charging adulteration in violation of the food and drugs act. The article was labeled in part: "Skylark Brand Red Sour Pitted Cherries \* \* \* Packed by Fredonia Salsina Canning Co., Inc. Fredonia, N. Y."

It was alleged in the libels that the article was adulterated in that it consisted in whole or in part of a filthy, decomposed, or putrid vegetable substance.

On November 16, 1928, the Fredonia Salsina Canning Co., Fredonia, N. Y., claimant, having admitted the allegations of the libels and having consented that orders be entered in conformance with the prayer thereof, judgments were entered ordering that the product be released to the said claimant upon payment of costs and the execution of bonds totaling \$1,000, conditioned in part that the product should not be disposed of in violation of the law, and it was further ordered by the court that the said product be reconditioned under the supervision of this department.

ARTHUR M. HYDE, *Secretary of Agriculture.*

**16140. Adulteration of canned corn. U. S. v. 206 Cans of Canned Corn. Default decree of condemnation, forfeiture, and destruction.** (F. & D. No. 23113. I. S. No. 013826. S. No. 1205.)

On September 28, 1928, the United States attorney for the Northern District of Ohio, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying seizure and condemnation of 206 cans of canned corn, remaining in the original unbroken packages at Akron, Ohio, alleging that the article has been shipped from the Morgan Packing Co., Columbus, Ind., on or about August 24, 1928, and transported from the State of Indiana into the State of Ohio, and charging adulteration in violation of the food and drugs act. The article was labeled in part: "Betsy Ross Brand Country Gentleman Corn."

It was alleged in the libel that the article was adulterated in that it consisted in whole or in part of a filthy, decomposed, or putrid vegetable substance.

On November 15, 1928, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

ARTHUR M. HYDE, *Secretary of Agriculture.*



**16141. Misbranding of tomato catsup. U. S. v. 8 Cases, et al., of Tomato Catsup. Default decree of condemnation, forfeiture, and destruction.** (F. & D. No. 22975. I. S. Nos. 02908, 02909. S. No. 1055.)

On August 21, 1928, the United States attorney for the District of New Jersey, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying seizure and condemnation of 13 cases of tomato catsup at Newark, N. J., alleging that the article had been shipped by the Morgan Packing Co., Austin, Ind., on or about June 2, 1928, and transported from the State of Indiana into the State of New Jersey, and charging misbranding in violation of the food and drugs act. The article was labeled in part: "American Beauty Brand Tomato Catsup Morgan Packing Co. Austin Ind."

Examination of a sample of the article by this department showed the presence of added coal tar color.

It was alleged in the libel that the article was misbranded in that the statement "Tomato Catsup" and the design of red ripe tomatoes, borne on the label, were false and misleading and deceived and misled the purchaser.

On November 5, 1928, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

ARTHUR M. HYDE, *Secretary of Agriculture.*

**16142. Adulteration of cod liver oil. U. S. v. 8 Barrels of Cod Liver Oil. Default decree of condemnation, forfeiture, and destruction.** (F. & D. No. 22806. I. S. No. 20135-x. S. No. 845.)

On June 5, 1928, the United States attorney for the District of New Jersey, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying seizure and condemnation of 8 barrels of cod liver oil at Vineland, N. J., alleging that the article had been shipped by Loos & Dilworth, Philadelphia, Pa., on or about March 15, 1928, and transported from the State of Pennsylvania into the State of New Jersey, and charging adulteration in violation of the food and drugs act. The article was labeled in part: "Made in Norway USP."

Analysis of a sample of the article showed that it consisted in part of an oil other than cod liver oil.

It was alleged in the libel that the article was adulterated in that it was sold under a name recognized in the U. S. Pharmacopoeia and differed from the pharmacopoeial standard of strength, quality, or purity, and in that it fell below the professed standard of quality under which it was sold, namely, "U. S. P. Cod Liver Oil."

On November 5, 1928, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

ARTHUR M. HYDE, *Secretary of Agriculture.*

**16143. Adulteration of almonds in shell. U. S. v. 47 Bags of Almonds in Shell. Consent decree of condemnation and forfeiture. Product released under bond.** (F. & D. No. 23186. I. S. No. 02865. S. No. 1284.)

On November 13, 1928, the United States attorney for the Southern District of New York, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying seizure and condemnation of 47 bags of almonds in shell at New York, N. Y., alleging that the article had been shipped by Rosenberg Bros. & Co., from San Francisco, Calif., October 6, 1928, and transported from the State of California into the State of New York, and charging adulteration in violation of the food and drugs act. The article was labeled in part: "Ensign Brand California Nonpareil Almonds Crop 1927 Rosenberg Brothers California."

It was alleged in the libel that the article was adulterated in that it consisted in part of a filthy, decomposed, and putrid vegetable substance, an examination of a sample of the article showing the presence of moldy, wormy, and decomposed nuts.

On December 6, 1928, the Sheffield Farms Co. (Inc.), New York, N. Y., claimant, having admitted the allegations of the libel and having consented to the entry of a decree, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be released to the said claimant upon payment of costs and the execution of a bond in the sum of \$400, con-

ditioned in part that the good nuts be separated from the bad and the latter denatured or destroyed.

ARTHUR M. HYDE, *Secretary of Agriculture.*

**16144. Misbranding of tomato catsup. U. S. v. 21 Cases of Tomato Catsup. Consent decree of condemnation and forfeiture. Products released under bond. (F. & D. No. 22957. I. S. No. 02057. S. No. 1025.)**

On September 8, 1928, the United States attorney for the Western District of Michigan, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying seizure and condemnation of 21 cases of tomato catsup, remaining in the original unbroken packages at South Haven, Mich., alleging that the article had been shipped by the Morgan Packing Co., Austin, Ind., on or about June 25, 1928, and transported from the State of Indiana into the State of Michigan, and charging misbranding in violation of the food and drugs act. The article was labeled in part: "General Jackson Brand Tomato Catsup, Morgan Packing Company, Austin, Indiana."

It was alleged in substance in the libel that the article contained artificial color and was misbranded in that the said label was false and misleading and deceived and misled the purchaser when applied to an artificially colored product.

On November 26, 1928, the Morgan Packing Co., Austin, Ind., claimant, having admitted the allegations of the libel and having consented to the entry of a decree, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be released to the said claimant upon payment of costs and the execution of a bond in the sum of \$500, conditioned in part that it be relabeled under the supervision of this department.

ARTHUR M. HYDE, *Secretary of Agriculture.*

**16145. Adulteration and misbranding of Japanese cod liver oil. U. S. v. 10 Drums of Japanese Cod Liver Oil. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 22650. I. S. No. 19983-x. S. No. 556.)**

On March 20, 1928, the United States attorney for the Eastern District of Missouri, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying seizure and condemnation of 10 drums of Japanese cod liver oil, remaining in the original unbroken packages at St. Louis, Mo., alleging that the article had been shipped by the Cook, Swan & Young Corporation, Bayway, N. J., on or about October 21, 1927, and transported from the State of New Jersey into the State of Missouri, and charging adulteration and misbranding in violation of the food and drugs act. The article was labeled in part: "Japanese Cod Liver Oil not U. S. P."

It was alleged in the libel that the article was adulterated in that its strength fell below the professed standard under which it was sold, and in that an oil other than cod liver oil had been substituted in part for the said article.

Misbranding was alleged for the reason that the statement "Cod Liver Oil" was false and misleading and deceived and misled the purchaser, and in that the article was offered for sale under the distinctive name of another article.

On October 31, 1928, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

ARTHUR M. HYDE, *Secretary of Agriculture.*

**16146. Adulteration of walnut pieces. U. S. v. 6 Cases of Walnut Pieces. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 23227. I. S. No. 03607. S. No. 1330.)**

On December 7, 1928, the United States attorney for the Southern District of New York, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying seizure and condemnation of 6 cases of walnut pieces, remaining in the original unbroken packages at New York, N. Y., alleging that the article had been shipped from France into the State of New York, arriving on or about April 10, 1928, and charging adulteration in violation of the food and drugs act. The article was labeled in part: "TMD Invalides \* \* \* Crop 1927 France FD From T. M. Duche & Son New York."

It was alleged in the libel that the article was adulterated in that it consisted in whole or in part of moldy, decomposed, and rancid meats.



On January 3, 1929, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

ARTHUR M. HYDE, *Secretary of Agriculture.*

**16147. Adulteration of canned salmon. U. S. v. 1000 Cases, et al., of Canned Salmon. Consent decree of condemnation and forfeiture. Product released under bond. (F. & D. No. 23238. I. S. Nos. 0764, 0765, 0766. S. No. 1345.)**

On December 11, 1928, the United States attorney for the District of Oregon, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district libels praying seizure and condemnation of 2,847 cases of canned salmon, remaining in the original unbroken packages at Astoria, Oreg., alleging that the article had been shipped by the Chinook Packing Co., Chinook, Wash., in various consignments, on or about October 31, November 6, and November 9, 1928, respectively, and transported from the State of Washington into the State of Oregon, and charging adulteration in violation of the food and drugs act. A portion of the article was labeled in part: "Sno Kist Brand Columbia River Salmon \* \* \* Chinook Packing Co., Chinook, Washington." The remainder of the said article was labeled in part: "Man of War Brand Fancy Spring Pack Columbia River Salmon Steaks \* \* \* Chinook Packing Co., Chinook, Washington."

It was alleged in the libels that the article was adulterated in that it consisted in part of a decomposed animal substance.

On December 18, 1928, the Chinook Packing Co., Chinook, Wash., having appeared as claimant for the property and having consented to the entry of decrees, judgments of condemnation were entered, and it was ordered by the court that the product be released to the said claimant upon payment of costs and the execution of bonds totaling \$2,000, conditioned in part that it should not be sold or otherwise disposed of until reconditioned in a manner satisfactory to this department.

ARTHUR M. HYDE, *Secretary of Agriculture.*

**16148. Adulteration and misbranding of tomato puree. U. S. v. 21 Cases of Tomato Puree. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 23231. I. S. No. 03181. S. No. 1338.)**

On December 7, 1928, the United States attorney for the Eastern District of Pennsylvania, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying seizure and condemnation of 21 cases of tomato puree, remaining in the original unbroken packages at Pottstown, Pa., consigned by Wm. Laning & Son Co., Bridgeton, N. J., alleging that the article had been shipped from Bridgeton, N. J., on or about October 6, 1928, and transported from the State of New Jersey into the State of Pennsylvania, and charging adulteration and misbranding in violation of the food and drugs act. The article was labeled in part: "Silver Lake Whole Tomato Puree, \* \* \* Packed by Wm. Laning & Son Co."

It was alleged in the libel that the article was adulterated in that it consisted in whole or in part of a filthy, decomposed, or putrid vegetable substance.

Misbranding was alleged for the reason that the label bore the statement "Whole Tomato Puree" which was false and misleading and deceived and misled the purchaser. Misbranding was alleged for the further reason that the article was offered for sale under the distinctive name of another article.

On December 29, 1928, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

ARTHUR M. HYDE, *Secretary of Agriculture.*

**16149. Misbranding of cottonseed cake. U. S. v. 400 Sacks of Cottonseed Cake. Consent decree of condemnation and forfeiture. Product released under bond. (F. & D. No. 23225. I. S. No. 04727. S. No. 1332.)**

On December 5, 1928, the United States attorney for the District of Nebraska, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying seizure and condemnation of 400 sacks of cottonseed cake at Minatare, Nebr., alleging that the article had been shipped by the Continental Oil-Cotton Co., from Colorado, Tex., on or about November 22, 1928, and transported from the State of Texas into the State of Nebraska, and charging misbranding in violation of the food and drugs



act. The article was labeled in part: "43 per cent protein Cottonseed Cake Continental Oil-Cotton Company, Colorado, Texas, Guaranteed Analysis: Crude Protein not less than 43 per cent."

It was alleged in the libel that the article was misbranded in that the statements, "43 per cent protein" and "Crude protein not less than 43 per cent," were false and misleading and deceived and misled purchasers.

On December 18, 1928, the Continental Oil-Cotton Co., Colorado, Tex., claimant, having admitted the allegations of the libel and having consented that judgment of condemnation and forfeiture be entered, a decree was entered finding the product misbranded, and it was ordered by the court that the said product be released to the claimant upon payment of costs and the execution of a bond in the sum of \$2,000, conditioned in part that it should not be sold or otherwise disposed of until relabeled by obliterating the statement "43% protein" and substituting therefor the true statement "40% protein."

ARTHUR M. HYDE, *Secretary of Agriculture.*

**16150. Misbranding of poultry greens. U. S. v. 400 Sacks of Atlas Poultry Greens. Decree of condemnation and forfeiture. Product released under bond.** (F. & D. No. 23110. I. S. No. 0126. S. No. 1199.)

On or about October 16, 1928, the United States attorney for the Southern District of Florida, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying seizure and condemnation of 400 sacks of Atlas poultry greens at Tampa, Fla., alleging that the article had been shipped by the A. W. Scott Co., from San Francisco, Calif., September 12, 1928, and transported from the State of California into the State of Florida, and charging misbranding in violation of the food and drugs act. The article was labeled in part: (Tag) "Atlas Poultry Greens manufactured by The A. W. Scott Co., San Francisco, California. Guaranteed Analysis Crude Protein, not less than 20 per cent \* \* \* Crude Fiber, not More than 18 per cent."

It was alleged in the libel that the article was misbranded in that the following statements regarding the said article were false and misleading and deceived and misled the purchaser: "Crude Protein, not less than 20 per cent," "Crude Fiber, not More than 18 per cent."

On October 30, 1928, the Jackson Grain Co., Tampa, Fla., having appeared as claimant for the property and having admitted the allegations of the libel, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be released to the said claimant upon the execution of a bond in the sum of \$250, conditioned in part that it be relabeled so that the product conform with the labels in the matter of protein and fiber content. It was further ordered by the court that the claimant pay costs.

ARTHUR M. HYDE, *Secretary of Agriculture.*

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# United States Department of Agriculture

## FOOD, DRUG, AND INSECTICIDE ADMINISTRATION

### NOTICES OF JUDGMENT UNDER THE FOOD AND DRUGS ACT

[Given pursuant to section 4 of the food and drugs act]

16151-16175

[Approved by the Acting Secretary of Agriculture, Washington, D. C., July 26, 1929]

**16151. Adulteration of frozen poultry. U. S. v. 91 Barrels, et al., of Frozen Poultry. Consent decrees of condemnation and forfeiture. Product released under bond.** (F. & D. Nos. 22765, 22770. I. S. Nos. 24480-x, 24483-x. S. Nos. 796, 800.)

On May 8 and May 9, 1928, respectively, the United States attorney for the District of New Jersey, acting upon reports by the Secretary of Agriculture, filed in the District Court of the United States for said district libels praying seizure and condemnation of 91 barrels and 8 boxes of frozen poultry, remaining unsold at Jersey City, N. J., alleging that the article had been shipped by the Great Lakes Terminal, Detroit, Mich., in two consignments, on or about January 18, 1928, and January 23, 1928, respectively, and transported from the State of Michigan into the State of New Jersey, and charging adulteration in violation of the food and drugs act.

It was alleged in the libels that the article was adulterated in that it consisted in part of a filthy, decomposed, and putrid animal substance, in that it consisted in part of a portion of an animal unfit for food and in that it was the product of a diseased animal.

On October 24, 1928, the Silz Packing Co. (Inc.), New York, N. Y., claimant, having admitted the material allegations of the libels and having consented to the entry of decrees, judgments of condemnation and forfeiture were entered, and it was ordered by the court that the product be released to the said claimant upon payment of costs and the execution of bonds totaling \$2,800, or the deposit of collateral in like amount, conditioned in part that the portion unfit for human consumption be separated from the remainder and destroyed or denatured.

R. W. DUNLAP, *Acting Secretary of Agriculture.*

**16152. Misbranding of tomato catsup. U. S. v. 950 Cases of Tomato Catsup. Product released under bond by consent.** (F. & D. No. 23152. I. S. No. 01262. S. No. 1253.)

On October 17, 1928, the United States attorney for the District of Minnesota, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying seizure and condemnation of 950 cases of tomato catsup, remaining in the original unbroken packages at St. Paul, Minn., alleging that the article had been shipped by the Mid-West Food Packers (Inc.), from Fowlerton, Ind., September 3, 1928, and transported from the State of Indiana into the State of Minnesota, and charging misbranding in violation of the food and drugs act. The article was labeled in part: (Bottle) "Mid-West Brand Tomato Catsup \* \* \* Highest Quality \* \* \* Guaranteed to be absolutely pure. No preservative or artificial coloring. Made by Mid-West Food Packers Inc., Fowlerton, Ind."



Misbranding of the article was alleged in the libel for the reason that the statements "No artificial coloring" and "Guaranteed to be absolutely pure," borne on the labels, were false and misleading and deceived and misled the purchaser in that an analysis of the product showed it to be colored with ponceau three R.

On November 12, 1928, the Mid-West Food Packers (Inc.), Fowlerton, Ind., having appeared as claimant for the property and having admitted the allegations of the libel, judgment was entered that the prayer of the libel be allowed and that the product be released to the said claimant upon payment of costs and the execution of a good and sufficient bond, conditioned in part that it should not be sold or otherwise disposed of contrary to law.

R. W. DUNLAP, *Acting Secretary of Agriculture.*

**16153. Adulteration and misbranding of Giles germicide and Giles magic lotion & blood purifier. U. S. v. 12 Large-Size Bottles of Giles Germicide, et al. Default decrees of condemnation, forfeiture, and destruction.** (F. & D. Nos. 22830, 22833, 22834, 22836 to 22842, incl., 22844, 22845, 22846. I. S. Nos. 17036-x, 24493-x, 24494-x, 25323-x, 25324-x, 25325-x, 25501-x to 25505-x, incl., 25546-x to 25550-x, incl. S. Nos. 851, 852, 861, 862, 863, 865, 866, 867, 868, 888.)

On June 22, June 25, June 26, June 27, and June 28, 1928, respectively, the United States attorneys for the Districts of Eastern Missouri, Western Missouri, Maryland, Southern New York, and Northern California, respectively, acting upon reports by the Secretary of Agriculture, filed in the District Courts of the United States for said districts libels praying seizure and condemnation of 32 large-size bottles and 48 small-size bottles of Giles germicide and 80 gallon cans and 110 quart cans of Giles magic lotion & blood purifier, in various lots at St. Louis, Mo., Kansas City, Mo., Baltimore, Md., New York, N. Y., and San Francisco, Calif., alleging that the articles had been shipped by the Giles Remedy Co., from Chicago, Ill., between the dates of May 23, 1927, and May 31, 1928, and had been transported from the State of Illinois into the States of Missouri, Maryland, New York, and California, respectively, and charging adulteration and misbranding in violation of the food and drugs act as amended.

Analyses of samples of the articles by this department showed that Giles' germicide consisted essentially of linseed oil, camphor, and ether; and that Giles' magic lotion and blood purifier consisted essentially of linseed oil, camphor, and ether. Bacteriological examination showed that the articles were neither antiseptic nor germicidal, even when undiluted.

A portion of the Giles magic lotion & blood purifier was labeled in part: (Tin container) "Blood Purifier \* \* \*. Tonic and blood purifier for both internal and external use. For the Prevention and Treatment of all Diseases of Germ Origin affecting Horses and Cattle \* \* \*. Prevents and removes congestion, the one disease; dispels Fever and Inflammation and other complications most promptly and effectually with no Bad After Effect. Strengthens the Heart. For the Treatment of Chills, Coughs, Colds, Sore Throat, Shipping Fever, Distemper, Catarrhal Fever, Enteric Fever, Influenza and Complications. Spasmodic and Flatulent Colic, Inflammation of the Stomach, Bowels, Kidneys or Bladder; Indigestion, Etc. \* \* \* Remedy \* \* \* Seriousness of the case. \* \* \* fever \* \* \* Continue administering by the mouth until a satisfactory temperature is induced. In acute ailments, quickest and most economical results are obtained by liberal use of 'Giles' at the start. Cough, Colds \* \* \* Colic \* \* \* Chills \* \* \* As a Tonic Conditioner. For loss of Appetite, nervous indigestion, impaired wind, palpitation or weakness, give constitutional treatment of two or three 2-ounce doses per day and rectal injection once a day. It should be applied as promptly as possible to the injured part or to the immediate vicinity of internal trouble. To the chest and sides; to the abdomen between the legs in bowel, kidney, and bladder affections; to strains and bruises liberally with considerable friction; to fresh wounds sparingly to antisepticize; to the seat of abscesses on oakum well saturated; to the coronet in case of soreness in the feet by means of a soaking boot and oakum; in the eye full strength by means of a small, soft sponge (care being taken to get it well into the eye) and liberally to the throat in case of sore throat, well rubbed in. Be sure that the part is dry before applying and use no water in connection with it under any circumstance. Remedy \* \* \* benefiting another, but strengthens the entire system \* \* \* Conditioner." The labels of a portion of the said Giles magic lotion & blood purifier contained the above-quoted statements together with the following:

(Circular) "The Modern Scientific Remedy that Embodies the Correct Principle of Curing. Preventive and Cure for Milk Fever \* \* \*. Knowing the 'Giles' method of treatment, any owner of cattle, horses, sheep, hogs, or other domestic animals, is perfectly equipped to keep health among his herds and flocks, in his pens and stables \* \* \*. 'Giles' being a true germicide, is quickly taken up by the blood and eliminates Germ Poison, thereby removing the congestion wherever located. The Cause of the ailment is removed and no time is lost in doctoring symptoms. Therefore it is only necessary to know that an animal is ailing and begin treatment at once. \* \* \* you begin to counteract the work of the germ poisons before they gain much headway. Much suffering, loss, and time is saved by this method of treatment \* \* \*. In acute cases when there is much pain, the doses should be larger and more frequently given until the pain subsides, and then less often until a complete cure is effected. The best way is to commence giving 'Giles' as soon as an animal is seen to be ailing. Give full and frequent doses when there is much pain and suffering, and tonic doses—that is, two or three times a day, in mild cases \* \* \*. When there is intestinal trouble, doses by the rectum should be more frequent. In cases where the mucous membranes of the nostrils and upper air passages are affected, as cold in the head, the remedy should be given by the nostrils as well as by the mouth and rectum. In udder troubles it may be injected through the teats and into the vagina in all vaginal affections. In swellings, abscesses, sores, wounds, affections of the feet, skin, etc., the remedy should be applied externally as well as being given internally by mouth and rectum. In eye and ear troubles it should be used full strength in both. The reason for administering the remedy internally when the trouble is apparently all external, is because it serves to put the entire system in good condition by eliminating germ poisons and purifying the blood, thereby reaching every part of the body and hastening recovery. 'Giles' is a powerful vitalizer and tonic, commences to build up and tone the entire system from the first dose and the animal regains a normal condition of health without having to combat the depressing effects of the narcotic drugs used in veterinary practice. It is also a wonderful healing antiseptic for external injuries, bruises, sores, fresh wounds, eye, ear, and skin affections; for umbilical trouble in calves; in calving when outside assistance is necessary and in surgical operations. It is the only Germicide that positively will not injure membrane linings and the fact that it can be put in the eye full strength, beneficially, is proof that it is not irritating. If an ailment is at all curable, 'Giles' gives you the means to accomplish it. Not only that, but as a preventive, tonic, and conditioner, there is nothing so reliable and sure. \* \* \* cow as a tonic conditioner or constitutional treatment \* \* \*. Udder Troubles \* \* \*. If the 'Giles' method of treatment for Milk Fever is faithfully followed not only will a quicker cure result than by any other method, but there will be no loss or diminution of the flow of milk \* \* \*. Bathe the udder well with the remedy \* \* \*. This method of treatment should be faithfully continued until the cow is out of danger \* \* \*. Garget (Congestion of the Udder) \* \* \*. Treatment \* \* \*. Bathe the udder, milk veins, and glands and rub in well. Inject some of the remedy into each teat. Inflammation of the Udder. Suppression of Milk \* \* \* tuberculosis in cattle \* \* \* Blood Purifier. This is true germicide, which possesses no reactive or irritating qualities. It acts quickly through the blood, stimulating the circulation and the action of the white blood corpuscles in rendering germs inert and in expelling their poisons (toxins) from the system, restoring healthy action to every organ of the body and giving greater power of resistance to the work of disease germs \* \* \*. 'Giles' will prove the safest and most effective test for this trouble. It can be administered with perfect safety and benefit in all those cases in which the tuberculin test is forbidden and it can also be given to cows affected by the reaction of tuberculin with benefit. Experiment and experience with the 'Giles' method of treatment confirms the belief that it is the best and safest test for tuberculosis under all conditions and it is confidently recommended to dairymen as a test and treatment for this affection \* \* \*. The qualities of 'Giles' as a germicide, at any rate, makes it a preventive of germ ailments and it is of undoubted value for that purpose \* \* \*. Tuberculosis of the Lungs. When there is reason to believe that there is tubercular affection of the lungs, a simple, effective test is to inject 1 ounce of 'Giles' into each nostril. This administration by the nostrils can be made effective and easy by raising the head and administering the remedy in such a way that it will carry well over into the bronchial tubes and thence into the stomach. The inhalation



of gases will reach the lungs and cause a loosening of the mucous which will show in the nostrils in a comparatively short time. If there is no sign of this mucous after the administration by the nostrils, it is safe to believe that there is no tubercular affection of the lungs. Even if the lungs are only slightly affected, the continued use of this remedy by the nostrils twice a day and 4 ounces twice a day by the mouth, is recommended as the best possible treatment \* \* \*. When glands are swollen and feverish \* \* \* medicinal properties of the remedy are absorbed by the glands, while the germs which are excreted in the feces are rendered inert and powerless to spread contagion. Sores and ulcers should be rubbed clear of any purulent matter with a coarse cloth or piece of oakum saturated with the remedy, even to the bleeding point, and the remedy then applied two or three times a day. Calving. Dropping After Calving. \* \* \*. Abortion.—The best prevention of abortion is to secure a remedy that will correct all the harmful conditions tending to produce it \* \* \*. Constitutional treatment of 2 to 4 ounces of 'Giles' Remedy should be given daily the last few weeks of gestation, which with good care and gentle handling most often acts to prevent abortion and a great aid to the natural delivery of a robust, healthy calf and almost insure the animal cleaning herself promptly and naturally. Furthermore, the calf is not so likely to be affected with diarrhea or scours \* \* \*. Retention of the Placenta (After Birth). Umbilical Hernia—Navel Ill \* \* \*. Treatment.—At start give 2 ounces by mouth and a rectal injection of like amount. Saturate a wad of oakum with the remedy and bind on navel, first cleaning sore by wiping away all dirt and purulent matter with a piece of oakum wet with the remedy. Leave oakum on and refresh with remedy twice daily. Continue giving 1-ounce doses three times a day with an occasional rectal injection. Stomatitis \* \* \*. Treatment.—Begin with 4-ounce doses by the mouth three times a day and a rectal injection of same amount once a day. If mouth and tongue are badly inflamed, swab out with piece of burlap or coarse sacking fastened on end of stick and saturated with remedy. Foot and Mouth Disease.—A specific contagious fever \* \* \*. 'Giles' should be an immediate test for the malady and establish its presence to a certainty before taking stringent measures. The affected animals should be separated from the healthy ones and the 'Giles' treatment commenced. If the ailment is other than foot and mouth disease, it will begin to yield readily and would tend to arrest the spread of any contagious or infectious affections. Treatment.—Treat as in stomatitis as to dosage and swabbing. Wipe sores on feet clean to point of bleeding with rough cloth wet with remedy. In extreme cases bind oakum on sores well wet with remedy. Food Distention of Rumen or Paunch \* \* \*. Treatment.—Give 4 ounces by mouth and rectal injection of like amount. If animal is not relieved in an hour, repeat \* \* \*. Vomiting, Pica (depraved appetite), Indigestion, Colic, Scour in Calves, Diarrhea, Dysentery, Inflammation of Intestines, Constipation \* \* \*. Lungs and respiratory organs. Symptoms involving these organs treated practically the same. Treatment.—Give 4 ounces each by mouth and rectum at first. If animal is badly distressed, give 4-ounce doses every hour until relieved. An ounce injected into each nostril will help greatly. Eye affections. For all affections of the eye 'Giles' will prove to be the best treatment ever devised. It should be applied full strength with a small soft sponge and see that it gets well into the eye. Wounds and sores. For wounds and sores this remedy will be found more healing and soothing than anything that can possibly be applied. In castrating the remedy should be freely applied to the wound before animal is released and second application will be unnecessary in young animals. In older animals, if there is swelling, the wound or sore should be wiped out with the remedy and kept wet as possible. Stomach troubles. Bloating or Hoven \* \* \*. Treatment \* \* \*. Continue treatment by giving 2 to 4 ounces by mouth every hour and occasional rectal injection until animal is relieved. Follow with one or two 2-ounce doses a day for two or three days, to prevent return of the trouble. Jaundice (Congestion of Liver or Yellows) \* \* \*. Inflammation of Liver (Hepatitis) \* \* \*. The Fluke Disease \* \* \*. Inflammation of the Spleen (Splentitis) \* \* \*. Treatment \* \* \*. If animal improves, doses may be reduced to two or three a day. This treatment should be continued several days until animal is in good condition. Ailments of sheep \* \* \*. Preventive measures are the best to keep animals in healthy condition. 'Giles' being a perfect germicide supplies the best preventive as well as cure \* \* \*. For foot troubles, the sores should be thoroughly cleansed by wiping away all dirt and purulent matter with a rough rag saturated with the remedy \* \* \*. Eye and Ear.—Use



'Giles' full strength \* \* \*. Worms, Ticks, Grubs in Nostrils, Lice and Nits \* \* \*. Treatment.—Wipe the affected parts with a rough cloth saturated with the remedy and keep sore well moistened. Inject into nostrils when affected. Giles Magic Lotion and Blood Purifier or 'Giles,' as this treatment is commonly called, is so efficient as a Preventive and Curative Treatment for the Common Ailments of Cows—so superior to all other methods, that it is considered indispensable by those who know \* \* \*. Prevent Abortion, Treat Milk Fever Successfully without loss of Milk Flow, Relieve Udder Troubles, Assist Effectually in the removal of the Placenta or Afterbirth without the too common after-effect of barrenness or sterility, Prevent and Stop Diarrhœa or Scours in Calves, Exactly Supply the Dairy Farmers' need for a fail-proof ever-ready remedy for Cow Ailments. A portion of the said Giles magic lotion and blood purifier was labeled in part: (Tin container) "Tonic and Blood Purifier for both Internal and External Use. For the Prevention and Treatment of all diseases of Germ Origin Affecting Horses and Cattle \* \* \*. Best Treatment for Coughs, Colds, Chills, Sore Throat, Pink Eye, Shipping Fever, Distemper, Catarrhal Fever, Catarrhal Laryngitis and Complications. A Tonic, Conditioner, for loss of Appetite, Indigestion, Short Wind, Palpitation or Weakness of the Heart \* \* \*. Imparts Vital Energy \* \* \*. Subdues Fever. Allays inflammation \* \* \* does not weaken but strengthens the heart \* \* \*, strengthens the entire system; (booklet) Blood Tonic \* \* \* which destroys and removes from the system the toxins of Germs, increases the blood action \* \* \* other organs, enabling them to perform their natural functions \* \* \* which acts as a blood purifier, to overcome or neutralize Disease Germs; \* \* \* Febrifuge, or Tonic Stimulant \* \* \* Healing \* \* \*. Congestion the Cause of Disease \* \* \*. There is but one cause of disease—congestion, and that 'Giles,' in relieving congestion, therefore is effective in many ailments which are likely to affect the horse \* \* \*. Active Congestion \* \* \* Passive Congestion \* \* \*. The germicidal qualities of 'Giles' and its action on the circulation forces a renewal of blood in the affected parts by increasing the pressure from the arteries, thus removing the congestion and its complications which form the symptoms termed diseases \* \* \*. Why will 'Giles' relieve congestion? Because it stimulates the action of the heart, increasing the pressure, throwing oxygen through the veins and arteries of the body so that the disease germs and their poisons cannot thrive, thus ousting congestion whenever it is present, no matter in what part of the body. \* \* \* Contains a happy combination of healing mediums, quickly taken up by the circulatory system and sent flowing through every gate and alley of the body, sweeping out before it all the toxin and germs which have produced the congestion, the cause of the ailment. All this is done without harmful or reactive effect, which is a danger of the drugs used often in the regular practice \* \* \*. It soothes and heals the tissues while it destroys the cause of the affection. It is strong enough to drive out the poison of the malady, yet so mild in its health-giving properties that it cannot injure the most delicate membrane. \* \* \* remedy \* \* \*. Vagina—(The genito-urinary organ of the female.) This administration is an important operation in the treatment of retention of the urine in any case where sufficient relaxation does not result from administration by the mouth and rectum in due time, also for the prompt relief of the inflammation and heat incidental to that organ in nymphomania (horsing) \* \* \*. This operation will in many cases serve to aid in voiding the urine. It should be repeated, if staling does not occur in ten or fifteen minutes. Aid in extreme difficulty of voiding the urine \* \* \* for inflamed enlargements of the legs \* \* \*. It is a tonic and vitalizer which readily strengthens and benefits \* \* \* but strengthens the heart and system. \* \* \* which corrects the stomach and stimulates the bowels to healthy action \* \* \* possesses the qualities of subduing fever and allaying inflammation internal or external. \* \* \* opens the pores, induces sweating \* \* \*. It is a potent factor for the removal of inflammation, which is the direct cause of pain. It acts to prevent the formation or retard the growth of abscesses; to remove soreness and swellings; to keep a fresh wound free from infection and to convert old sores to a healthy condition, causing them to heal rapidly. It heals without forming a scab and often prevents scars. 'Giles' promotes a rapid growth of healthy, tough hoof and is the most potent application for the removal of fever from the feet and to keep them in healthy condition. \* \* \* will prevent and relieve many affections of the eye. \* \* \* should be administered at the first sign of the animal's

ailing from any cause and should be repeated as frequently as necessary to prevent development of serious complications, even to the extent of every 10, 15, or 20 minutes until the animal shows improvement, then less often until the condition is satisfactory \* \* \*. Administer by the nostrils one to two ounces in each nostril in such a way that it will carry over into the throat whenever the seat of the trouble is known to be in the air passages \* \* \*. Its nature is such that it is incapable of harm and can only afford prompt benefit. Externally—It should be applied as promptly as possible to the injured part or to the immediate vicinity of internal trouble; to the chest and sides in colds; to the abdomen between the legs in bowel, kidney and bladder affections; \* \* \* to antiseptize; on oakum well saturated to the seat of abscesses; to the coronet in case of soreness in the feet, by means of a soaking boot and oakum; in the eye, full strength, by means of a small, soft sponge \* \* \*; and liberally to the throat in case of sore throat \* \* \*. How to treat a cough. A cough may be caused by dry catarrh in the head following a badly treated case of distemper or catarrhal fever or by an accompaniment of bronchitis (broken wind) or asthma (heaves). Treatment—No matter what the predisposing cause may be, relief will be afforded by administering one to two-ounce doses of 'Giles' by the nostrils (see page 3) two or three times a day. \* \* \* Chill \* \* \*. Many authorities do not accord the importance to chill that it should have. Many a horse would be saved serious illness were proper precautions taken to treat the chill as soon as possible. A prompt use of 'Giles' as soon as a horse is exposed will stop the chill and arrest the fever of which it is a precursor or accompanies it \* \* \*. Treatment—Give promptly four to six ounces of 'Giles' by the mouth and a rectal injection of two ounces, followed by two-ounce doses by the mouth every ten minutes and an occasional rectal injection until the animal appears comfortable \* \* \*. Should treatment not be prompt and vigorous enough to prevent fever, continue as directed for fever. Treatment of fever \* \* \*. If properly treated with 'Giles' fever may be checked, the proper circulation restored, and inflammation which would result in the weaker organs, prevented. Fever may be intermittent and frequency of the doses should be increased when it recurs and decreased as it recedes. Influenza and Ailments of the Air Passages \* \* \*. Distemper, Pink Eye, Catarrhal Fever, Laryngitis, Pharyngitis, Sore Throat, Abdominal or Enteric Influenza and Rheumatic Influenza \* \* \* colicky pains \* \* \*. Constipation \* \* \* diarrhea \* \* \*. Stiffness of the limbs \* \* \* swelling \* \* \*. Distemper \* \* \*. It can be prevented, and promptly checked without ill after effects, which are so frequent, by the proper timely use of 'Giles' \* \* \* as a preventive \* \* \*. Pink Eye \* \* \*. Treatment should be continued until satisfactory conditions are induced \* \* \*. Laryngitis—This is a complication of influenza in which the larynx is involved and may well be considered the most serious symptom of this trouble, because of the liability of strangles, permanently enlarged glands and purpura (blood poisoning) \* \* \*. The administrations by the nostrils should serve to care for any symptoms of simple strangles; but should the complications of strangles be manifest, relief may be afforded by swabbing the throat. Abdominal or enteric influenza \* \* \*. Should rheumatic symptoms show in joints or swelling of the legs occur, the parts should be bathed with 'Giles' \* \* \*. Strangles \* \* \*. Tonic doses of two ounces two or three times a day should be given during convalescence. Affections of the bronchial tubes. The lungs are rarely affected without the bronchial tubes and pleurae being also affected \* \* \*. Hence it is important that vigorous treatment be resorted to as early as possible to prevent these complications and to remove the congestion of the parts \* \* \*. 'Giles' is the best possible treatment that can be employed as it acts as a gentle alterative, allays irritation, and relieves the costive condition \* \* \*. Pneumonia \* \* \* Pleuro-Pneumonia \* \* \* Bronchitis \* \* \*. The size and frequency of the doses of 'Giles' recommended may safely be doubled in serious cases \* \* \*. In every acute attack, best results will obtain by liberal use of the remedy at the start \* \* \*. In stubborn cases of fever or internal inflammation, liberal administration should continue until marked improvement is noted \* \* \*. A horse treated with 'Giles' is left sound in wind and constitution \* \* \*. Shipping ailments \* \* \*. Administrations of four to six ounces of 'Giles' (according to size) by the mouth and a rectal injection of two to four ounces upon loading (either on cars or shipboard), will serve to preserve an equable circulation, prevent congestion, and keep the bowels and urinary organs in



normal condition \* \* \*. If any sign of undue uneasiness manifests itself \* \* \*, administer more of the remedy \* \* \*. This will serve to greatly relieve the animal's condition \* \* \*. If a horse shows signs of impaired wind, caused by a cold, the remedy should be administered by the nostrils, which will afford quick relief \* \* \*. The reputation of 'Giles' in ailments incident to the acclimation of green horses is firmly established. If it be properly used before symptoms of ailment develop it will have the effect of keeping the animal on his feed, of allaying excitement and nervousness, and make him capable of moderate exercise or work every day \* \* \*. Give a constitutional treatment of two-ounce doses of 'Giles' three times a day and a rectal injection of like amount once a day for several days \* \* \* to prevent congestion \* \* \*. Asthma or Heaves \* \* \*. Ozaena or Nasal Gleet \* \* \*. Dry Catarrh of the Head \* \* \*. Affections of the Wind \* \* \*. Thumps and Weak Heart \* \* \*. Treatment—Regular constitutional treatments of two-ounce doses two or three times a day by the mouth and a rectal injection of like amount once a day, with moderate exercise and good care, will in due time restore the normal strength of heart in nearly every case \* \* \*. Purpura, Blood Poisoning \* \* \*. Tonic doses of 'Giles' administered three or four times a day and an occasional rectal injection should be given until fully recovered. Spinal Meningitis \* \* \*. Bacterial Poisoning \* \* \*. Swellings in any part of the body should be liberally bathed with 'Giles' \* \* \*. Tetanus—Lockjaw \* \* \*. The use of liberal amounts of 'Giles,' as the cleaning substance may prevent the infection \* \* \*. Spasmodic Colic \* \* \*. As a preventive in cases of horses predisposed to colic \* \* \*. Flatulent Colic \* \* \*. Enteritis \* \* \*. Administer the remedy promptly and freely as in severe cases of colic and continue the treatment faithfully until relieved. Grass staggers \* \* \*. The condition of the stomach is the same as in stomach staggers and treatment should be the same \* \* \*. Superpurgation \* \* \*. Diarrhea \* \* \*. Diarrhea of foals \* \* \*. Indigestion \* \* \*. Azoturia \* \* \*. Sunstroke—Heat Shock \* \* \*. Retention of the Urine \* \* \*. Bloody Urine \* \* \*. Worms \* \* \*. Liberal administration of 'Giles,' which induces the parasites to loose their hold, when they are passed backward by the movement of the bowels in the process of digestion and are readily expelled with waste matter \* \* \*. Moon Blindness—Periodic Ophthalmia \* \* \*. 'Giles' is applied thoroughly as directed for simple ophthalmia, these periods of eye trouble may be passed without serious consequences \* \* \*. Deep Wounds—In many cases the hemorrhages can be stopped by the use of a damp sponge saturated with 'Giles' \* \* \*. If \* \* \* abscess containing pus should form \* \* \*, the remedy should be introduced \* \* \*. This treatment will cause a deep wound to heal from the bottom and with proper application of the remedy to the surface will cause it to heal and leave but little or no scar. Galls and sores \* \* \*. Frequent application of 'Giles' to the sore will result in the removal of inflammation and soreness and its healing without a scab \* \* \*. For burns and scalds \* \* \*. Liberal use will remove all inflammation and pain and cause the injury to heal, in most instances, without a scar \* \* \*. In cases of severe burns and scalds, the intense pain will cause a rise in temperature and 2-ounce doses of 'Giles' should be administered every one to three hours to counteract the constitutional disturbance \* \* \*. Scratches and Grease—Mud-Fever \* \* \*. The administration by the mouth should be increased to purify the blood and renovate the system and in serious cases \* \* \* liberal application of the remedy will cause them to slough and assume a healthy condition. They will then soon heal on continued application of the remedy. Hidebound \* \* \* the administration \* \* \* will induce healthy circulation, improve the appetite, and put the digestive organs in proper condition \* \* \*. Sprains and Bruises \* \* \*. This application of the remedy will exclude the air and give the absorbative and sweating qualities of 'Giles' opportunity to do most effective work in removing fever and inflammation from the muscles and tendons \* \* \*. Sweeny \* \* \*. Heel Sprains \* \* \*. Fistulous Withers \* \* \*. Poll Evil \* \* \*. Synovial Enlargements \* \* \*. In many instances the enlargement will be effectually removed. Shoe Boil or Capped Elbow \* \* \*. Continued and faithful use as directed will establish circulation about and through a shoe boil which should result in its removal by absorption \* \* \*. Foot Affections \* \* \*. Wounds and Bruises of the Coronet \* \* \*. Nail punctures \* \* \*. Pricks in shoeing \* \* \*. Corns \* \* \*. Fistula of the Coronet—Quittor \* \* \*. This treatment will pro-



mote a healthy growth of new tissue, will cause the feeders or pipes to wither and decay for lack of nourishment, and will admit of their removal, either in parts or whole \* \* \*. At any stage of the treatment, should the animal show any considerable signs of suffering with rise of temperature, two-ounce doses of 'Giles' should be administered by the mouth as frequently as necessary to induce a satisfactory condition \* \* \*. This mode of treatment for quittor \* \* \* will accomplish quicker and better results than are otherwise possible. Contracted Heels \* \* \*. In aggravated cases the animal should be stood in soaking boots with oakum well soaked with the remedy for two or three days before shoeing. Laminitis or Founder \* \* \*. Lymphangitis \* \* \*. The first attack of this trouble will often respond to treatment of two-ounce doses of 'Giles' administered four or five times a day and a rectal injection of like amount once or twice a day \* \* \*. Ulcerative Lymphangitis \* \* \*. Tired Horse." The Giles Germicide was labeled in part: (Carton) "It acts on disease germs \* \* \* is based on what was once theory but which is now an accepted fact, that bacteria (germs) are the direct or indirect cause of nearly all human ailments. By inducing fermentation and decay in our bodies they pollute the blood, weaken the vital organs and induce chronic diseases. These diseases as well as the acute germ diseases, are relieved by \* \* \* Germicide because it acts to overcome Germ Poison and remove them from the system. Relieves The Cause of Rheumatism, Asthma, Catarrh, Throat Troubles, Blood and Skin Diseases and Affections, Disease of the Stomach and Bowels and Ailments of an Inflammatory Nature, Either Internal or External. A Distinctive Remedy \* \* \* really marvelous things because it embodies the correct principle of assisting nature. \* \* \* Modern Remedy Recommended For Ailments caused by disease producing germs within and without the body. Neutralizes and Expels from the Blood the toxins of germs and other poisons or impurities. Allays internal or external congestion or inflammation;" (label) "Tonic and Blood Purifier;" (circular) "A Modern Marvel. The Cause of Disease and Treatment. The world has searched long for just such a treatment as Giles' Germicide. The search until recently has been fruitless, because no one knew where to look for it or what such a treatment should be. Certain things had to be known before this germicide was possible, and these things could not be known until science had advanced to where it is now. There have been marvelous advances in medicine in the last hundred years. Many wonderful things have been done, even though physicians were working in the dark. They cured many diseases without knowing what caused them. They knew that when the cause was discovered they would cure many more. Only a few years ago they got an inkling of the cause. It was so surprising that it has not yet been wholly grasped. The germ theory of the origin of disease is the result of this discovery. Giles' Germicide is also the result, for it is a new treatment that does marvelous things, because it combats and removes the known cause of nearly all diseases. No one who values Health or Life can afford to overlook the information given within. We have selected for publication only a few of the many testimonials we have received from the great number of people who have been relieved \* \* \*, by Giles' Germicide \* \* \* Remedy \* \* \*. The Peril No One Escapes. Cause of Disease. It has been but a few years since Koch, Pasteur, and other scientists were able to show conclusively that many, if not nearly all diseases, were caused by bacteria. These are the minute organisms that we call germs or microbes. It had been known before that germs caused fermentation and decay, but no one seemed to grasp the idea that these same germs might set up fermentation and decay in the human body. Very few people know as yet what a tremendous influence these invisible organisms have in the world; but people must know. No discovery since the world began has more bearing on your health and happiness than the discovery that every hour of your life you are subject to the action of countless numbers of these germs. There are from fifty to three thousand in every pint of air you breathe, and there are vast numbers in the water you drink and the food you eat. And while most of these bacteria are harmless, some probably useful, there are always many that are in reality the seeds of decay and death. What Germs Are. Wonderful results have already followed the discovery of what germs are and what they do, greater results are to follow and you are as much interested in this as in life itself. Germs are little organisms that can only be seen by aid of the most powerful microscopes. They average only about one ten-thousandth of an inch in length. They are similar in some respects to both animal and vegetable organisms, but are now classed as vegetable. The chief things to know about them are the marvelous

rapidity with which they can increase and the peculiar result of this increase. Germs increase mostly by division; that is, they divide in the center, becoming two germs; in a short time these new germs again divide. Under favorable conditions this process can take place every half hour. Therefore one germ can multiply into a million in ten hours, and into countless numbers in a day. Now germs, like every other living thing, have to have food for growth, and they throw off waste products much as waste is expelled from our own bodies. If germs taken into our bodies can use blood or tissues of the body as food, they of course at once commence to destroy. That is one way they produce disease. Another and more common way is that they poison us by the waste products they throw off. The waste of some germs is comparatively harmless, that of others is so deadly that no common poison can compare with it. These poisons are called toxins, and you had better know just what a toxin is and how Giles' Germicide combats it. The Whole Science of Health. Yeast is a form of bacteria; the process of bread making in your own kitchen is a good example of the action of germs. You never saw a yeast germ or plant. They are so small that there are millions in every batch of dough. The materials for bread are suitable food for this germ. You put a little yeast into the flour, water, etc. The germs immediately begin to multiply. As they grow they throw off waste products, which in this instance are alcohol and carbonic acid gas. Every bubble in your bread sponge is filled with gas, which burrows its way out and thus leavens the mass. The alcohol and part of the gas stays in the dough until driven off in the baking, which also destroys the germs. Human health and life are destroyed by very similar processes—by our bodies becoming food for swarming millions of germs, or by one being poisoned by the toxins these germs create. Knowing these things, you will understand how Giles' Germicide protects health and relieves disease; know, too, how it must relieve more ailments than it is possible to help in any other way. A germicide is, ordinarily, anything that kills germs. Giles' Germicide does that and more, and what it does is one of the triumphs of modern science \* \* \*. Giles' Germicide does seemingly impossible things, though, as a matter of fact, it does but three things: It combats germs; it neutralizes and expels toxins and the other poisons from the blood, and it overcomes congestion or inflammation. In doing this it does just what is necessary to relieve nine-tenths of all diseases. Best of all, it is an entirely harmless treatment that can be freely given to a babe. One might think that a treatment so destructive to germs might be injurious to man. But that is not so. Continued sunlight will destroy most germs, and surely there is no harm in life. Giles' Germicide is almost as innocent as light and air and almost as good a treatment as these—and light and air are germicides that have been curing disease since the world began. We are only at the beginning of discoveries about the action of germs, but we already know that they are responsible for all the infections or contagious disease, for most, and probably all, the various inflammatory diseases, for most of the diseases of the stomach and bowels, and for about all affections of the air passages and lungs. Why, then, should not a remedy that antagonizes germs and expels their poisons from your system produce wonderful results by doing these simple things? Anybody can easily learn that Giles' Germicide will fulfil every claim made for it. \* \* \* One Cause for Many Ills. Stomach and Intestinal Troubles. No one lives who has not in his stomach and bowels at one time or another three classes of germs. One attacks the tissues of the body and sets up low forms of inflammation which we are accustomed to calling Dyspepsia, Indigestion, Gastric Catarrh, etc. Another is the class of germs that cause rapid fermentation of the contents of the stomach and bowels. These cause Colic, Cholera Morbus, Dysentery, Flux, Diarrhoea, etc. There can be no other cause, for there can be no fermentation without germs. Another class of germs are those which thrive on the waste matter in our bodies. These are always present in the bowels. They throw off poisonous toxins which are absorbed into the blood and carried to the nerve centers, causing dullness, depression and loss of energy. We have right here the cause of a score of affections. Millions of people go through life half sick because they are half poisoned by these bacteria. They think their livers are sluggish and take a cathartic, which relieves temporarily—you can see why; the waste matter, the germs and their poisons, are partially removed, and temporary relief follows. Would it not be better for all these stomach and bowel troubles to use a treatment like Giles' Germicide, which combats the germs and expels, not only the poisons in the bowels, but also any that have been taken into the blood?



Diseases of the Head, Throat, and Lungs. More germs are taken into the body in breathing than in any other way. They are carried about in the air and are found everywhere, though the air of cities contains the largest proportion. These various germs gain lodgment, and if conditions are favorable for their growth, begin to multiply, and Consumption, Asthma, Pneumonia, La Grippe, etc., are the result. These germs cause inflammation, breaking down of tissue, or morbid changes in the tissues. Most of them excrete toxins, some fearfully poisonous, like that of diphtheria. In diphtheria, when death results, it is from suffocation or paralysis—and the paralysis is caused by the absorption into the blood of the deadly toxin, which is carried to the nerve centers, and then paralysis follows. Giles' Germicide relieves all these affections of the air passages by assisting nature to expel any poisons that may have been absorbed. You will probably be surprised to find how quickly relief comes when you strike at the cause of disease. Blood and Skin Diseases. Nearly all diseases, like Rheumatism, Gout, Blood Poison, Carbuncles, Boils, Sores, and various skin affections, are the result of the absorption into the blood of the toxins of the germs. The affection may be the result of slow, steady poisoning that has gone on for a long time until the vitality of all your organs has been lowered and the blood become corrupted and impoverished. The relief is to stop the stream of pollution at its source, to thoroughly cleanse the body of bacteria and their products, and this is what Giles' Germicide acts to do. One Treatment for Many Ills. A hundred other ills come from just such causes as the above. Kidney and bladder diseases, prostatic and other sexual diseases, diseases of women, general debility, etc., can be traced to the general breaking down of the system under the constant attack of the ever-present bacteria. Bacteria destroy the teeth, they cause the hair to fall out, they cause every bit of decay, corruption, and fermentation that exists in the world. Why is it not reasonable to believe that germs cause all disease, knowing, as we do, that they cause most disease? What This Treatment Does. Giles' Germicide is an oxygenized oil, combined with ingredients which have remarkable germ combating properties. It also has the property of cleansing the blood and system, expelling toxins and waste products by way of the skin, kidneys, and bowels. It immediately relieves all forms of congestion and inflammation, internal and external. It can be used externally for every purpose \* \* \* antiseptic is used for \* \* \*. Internally it is used for all diseases, acute or chronic. \* \* \* it is bound to reach the source of the disease at once \* \* \*. Piles, as a special illustration of the action of this remedy. Piles is a disease that results from loss of tone of certain minor blood vessels, due probably to toxin poisoned blood. Germs are not directly responsible, but Giles' Germicide relieves because it acts upon the indirect cause, and when this is done nature does the rest. Proves All This. You now know why this modern marvel relieves \* \* \*. Rheumatism. Three months since I was afflicted with rheumatism in my back. I could not straighten myself and in fact could hardly get up at all. A friend who had used your Germicide and found it a cure for inflammatory rheumatism induced me to try it. Before I had taken half a bottle I could walk, straightened up, and in a short time could work. Since then I have felt some twinges of rheumatic pain, but procured another bottle of Giles' Germicide at once and have had no painful attack this winter \* \* \*. Dyspepsia Cured After Years of Suffering. Last September I purchased a 50-cent bottle of Giles' Germicide and tried it for Dyspepsia. Before the bottle was all used I felt altogether relieved. It has now been six months, and no return of the disease, and feeling as I do now, I think that I can safely say that your medicine will cure Dyspepsia. I had been a sufferer for years, and no other medicine had ever afforded any more than the most temporary relief \* \* \*. Neuralgia of the Stomach. I have used Giles' Germicide for Neuralgia of the Stomach and it gave relief in fifteen minutes. My husband used it for weakness of the back and feels entirely cured. I have also used it for Eczema on my little daughter's head with good success. I can gladly recommend it as a valuable household remedy \* \* \*. Stomach Trouble \* \* \*. My wife has been a great sufferer for some years with Stomach Trouble, also general health was bad; the great relief she received and the ultimate cure makes your medicine to us a household necessity. We use it for coughs, colds, croup, etc., \* \* \*. Sore Eyes \* \* \*. Last January I took cold and it settled in my eyes, and I had to stop work on account of their being so swollen \* \* \*. I \* \* \* used it as directed, and it did them so much good I went to work the next day and they gave me no more trouble \* \* \*. I have tried it in several other complaints and found it



good \* \* \*, for sores can't stay if you use this medicine \* \* \*. Catarrh of the Stomach and Kidney Trouble \* \* \*. Your Giles' Germicide cured me of Catarrh of the Stomach and Kidney trouble. I suffered terribly with the pain in my Kidneys so that I could not sleep in a bed for over two months \* \* \*. I had only taken four or five doses when I began to be relieved of the pain in my back. My Stomach Trouble has also left me, and I can now eat a hearty meal and enjoy a good night's rest \* \* \*. Eczema \* \* \*. I was afflicted with a bad case of Eczema. My face was broken out in bad shape and my neck swollen. I suffered with this complaint for a year \* \* \*. At the time I commenced taking Giles' Germicide I was a very sick man, being compelled to quit work. I wish to say that your medicine entirely cured me, and I am feeling perfectly well in every way \* \* \*. I feel confident that Giles' Germicide is the only medicine that will cure Eczema \* \* \*. A Wonderful Cure. Relieved of La Grippe in Two Hours and Cured in a Short Time \* \* \*. I was taken down with a severe attack of La Grippe, and was so sore in my chest and lungs that I could hardly breathe. I commenced taking Giles' Germicide, and in a few hours felt greatly relieved. I continued taking the medicine for several days, as I found that it greatly benefited my whole system. Two years ago I was in a hospital three months from an attack of La Grippe. Since that time my ankles have been swollen and I have had a pain in my back and kidneys. I took two bottles of your medicine, and now I want to say my back and kidneys are all right and my ankles very much better \* \* \*. I think it will cure the worst case of La Grippe in a short time \* \* \*. Severe Cold of Long Standing \* \* \*. I have used Giles' Germicide for a very severe cold of four weeks' standing \* \* \* after using one half bottle of your Germicide I was entirely cured and have not had a cough since \* \* \*. It is the best medicine I have ever taken for a bad cough \* \* \*. The New Discovery for Acute or Chronic Diseases of Germ Origin, Either Internal or External \* \* \*. Tonic \* \* \*. In cases of indigestion or stomach disorders of any kind, the action of the remedy in neutralizing and expelling the gaseous poisons \* \* \*. This, however, is only temporary and ceases as soon as the ailment is corrected \* \* \*. If constipated, or before commencing treatment for a chronic trouble \* \* \*, a valuable preparation to have constantly at hand in case of emergency. Coughs and Colds. Take \* \* \* in severe cases \* \* \*. If there are spasms of coughing \* \* \* take \* \* \* remedy to relieve it \* \* \*. Pleurisy. Treatment about the same as for La Grippe, with applications of the remedy to the side which is affected \* \* \*. Pneumonia. Treatment about the same as for La Grippe. Sore Throat and Diphtheria. Take a half teaspoonful of the remedy every three hours and during the interval between doses apply the remedy to the inside of the throat about every twenty minutes or half an hour by means of a small swab. Also apply the remedy externally by bathing the throat from ear to ear, keeping it covered with a flannel cloth. Ordinary sore throat as a general thing, does not require the use of the swab, but in severe cases it is best not to take any chances and use the remedy as above, particularly for children \* \* \*. Note.—If the patient has feverish symptoms, the remedy should be taken every fifteen or twenty minutes until three or four doses are taken. Keep wrapped up warm until perspiration starts. La Grippe. Take \* \* \* according to severity of the attack. Also use the remedy as an external application to the throat, chest, and side, rubbing it in thoroughly and covering with hot flannels. If the mucous membrane of the nasal passage is inflamed, causing pain in the head and difficult breathing \* \* \*, remedy should also be used the same as for Nasal Catarrh (which see) by inhaling a small quantity through each nostril \* \* \*. Croup \* \* \*. This treatment usually causes nausea, which, together with the action of the medicine on the mucous lining, seldom fails to give relief. In addition to this treatment, it is best to bathe the throat and chest with the remedy and cover with a hot flannel. If there are symptoms of spasmodic contraction of the muscles, bathe the back of the neck and spinal column with the remedy. Measles, Scarlet Fever, Chicken Pox. In Measles \* \* \* a half teaspoonful of the remedy every hour until broken out nicely, then four or five times a day until fully recovered. In Scarlet Fever give the remedy in half teaspoonful doses five or six times a day and apply the remedy externally to the swollen glands, and also use with a swab as recommended for sore throat \* \* \*. In Chicken Pox give the remedy \* \* \* and apply externally to prevent itching. Small Pox. Give internally \* \* \* the remedy six or eight times a day. Use

externally to prevent itching or marking, and to keep the eruptions scattered. Chills, Fever and Ague, Malaria. When you feel the chill coming on, take a teaspoonful of the remedy, repeat in twenty minutes, cover up warm and take from half to a teaspoonful of the remedy every hour as long as the chill or fever lasts. At other times between the periods, take one teaspoonful of the remedy before meals and at bed time. For a tonic to purify the system and build up the blood, take the remedy four or five times a day. Colic or Cholera Morbus. Take a teaspoonful of the remedy, repeat every twenty minutes until relieved \* \* \*. If there are severe cramping pains, it is a good idea to bathe the bowels with the remedy, using considerable friction. Appendicitis or Stoppage of the Bowels and Constipation. Take a teaspoonful of the remedy every fifteen or twenty minutes \* \* \*. Use the remedy as an external application in the region of the pain, and inject about half an ounce of the remedy in the rectum \* \* \*. The injection may be repeated two or three times or until relieved. Neuralgia, Pains, Cramps, Spasms of the Muscles, Etc. Bathe the parts affected with the remedy \* \* \* also, take internally a teaspoonful of the remedy every hour unless entirely relieved sooner \* \* \*. Diarrhoea or Dysentery. Take from one-half to a teaspoonful every hour until relieved, then about three times per day until the bowels become regulated \* \* \*. Earache. Apply by saturating cotton with a few drops of the remedy and crowding it into the ear. Toothache. Saturate cotton with the remedy and apply to the gum in the region of the pain \* \* \*. Lameness or Soreness \* \* \*. Apply the remedy with friction or by saturating a soft cloth, or both \* \* \*. Cuts \* \* \*. Apply locally \* \* \*. Inflamed Eyes or Eyelids \* \* \*. Apply the remedy in and around the lids \* \* \*. In severe cases a few drops may be dropped inside the lid without fear of any bad results \* \* \*. Insect Stings \* \* \*. Poison Ivy \* \* \*. Apply the remedy externally. Chronic Diseases. Catarrh of the Head. Snuff about ten drops of the remedy up each nostril night and morning \* \* \*. In addition to this, take one teaspoonful of the remedy before meals and at bed time, to thoroughly purify the blood. Asthma. Take from one-half to a teaspoonful every thirty minutes until relieved; then four times a day or oftener until permanently relieved. Diseases of the Throat and Lungs. Take a teaspoonful of the remedy five or six times a day to purify and build up the blood, and to overcome the congested and irritated condition of the mucous linings of the parts. Consumptives will find the tissue building properties of this remedy greater than that of Cod Liver Oil, saying nothing of its germicidal properties. Dyspepsia, Indigestion, Catarrh of the Stomach. Take \* \* \* before meals and at bed time. No restriction as to diet; eat anything the appetite craves. Rheumatism, Gout, Lumbago, and Paralysis \* \* \*. Apply the remedy freely, using plenty of friction. When convenient, or if the pain is very severe, keep the remedy applied to the parts by means of a soft linen or cotton cloth, covered with warm flannel. Take internally a teaspoonful of the remedy four or five times a day to purify the blood and equalize the circulation. Kidneys, Bladder and Prostatic Diseases. For Kidney Trouble, take a teaspoonful of the remedy four times a day. If there is pain in the back, apply the remedy the same as for Rheumatism \* \* \*. For Bladder and Prostatic troubles \* \* \*, and if there is inflammation and a mucous discharge from the urethra, inject about ten or fifteen drops of the remedy with a small syringe. This treatment will also be found an efficient treatment for acute or Chronic Gonorrhoea and Gleet. Ninety-five per cent of all cases of sexual weakness in males or females is directly traceable to the presence of a peculiar irritant in the urine. This treatment acts at once in relieving the cause and restoring vigor, without the slightest chance of any bad after effects. It is not a temporary excitant, but produces permanent and lasting results in every case. Take a teaspoonful before meals and at bed time. Blood and Skin Diseases. Scrofula, Erysipelas, Eczema, Syphilitic Affections, and all Other Sores or Skin Eruptions. Take internally a teaspoonful of the treatment four or five times a day, to thoroughly cleanse the system of all impurities. Apply the remedy externally to affected parts \* \* \*. If inconvenient to bandage the parts in the day time, keep them moist with the remedy, by applying it three or four times a day with the finger or a small sponge. In some cases of Eczema or Skin Affections the eruptions may appear a trifle more after using the treatment four or five days, but this is simply the action of the treatment in driving the impurities from the system and will soon subside if the treatment is continued \* \* \*. Carbuncles, Felons, Boils, Etc.



Keep the parts saturated with the treatment \* \* \* take a teaspoonful of the remedy three or four times a day. Piles—Itching, Blind Bleeding, Internal or Protruding. Apply the treatment with the finger or a soft sponge. If they are internal and cannot be reached otherwise, inject a small quantity of the treatment with a syringe. In most cases it is advisable to keep the parts separated by means of a small piece of soft linen saturated with the remedy and inserted in the rectum \* \* \*. Female Troubles. For Ulcerations, Inflammation, Whites, and Menstrual Disorders. Take internally a teaspoonful of the remedy four or five times a day, to regulate menstrual disorders and prevent pain. Use the treatment as a local application to the parts by means of a syringe or otherwise, to bring the treatment in direct contact with the seat of trouble. If there is Leucorrhoea or a discharge of whites, use the treatment as an injection. We invite correspondence concerning any of the above diseases or other complications not named in this sheet \* \* \*. Blood Poison \* \* \* Want to tell you what great benefit I received from the use of Giles' Germicide. For many years I have been a great sufferer, one of my limbs being badly swollen, with a terrible sore near the ankle \* \* \*. I tried everything to get relief, but nothing did me any good until I commenced taking your medicine. Before I had used one bottle the pain had left my leg, and I could eat and sleep as well as ever, and before using three bottles I could walk and work without trouble \* \* \*. After hours of untold suffering, caused by Blood Poison \* \* \*. I received relief from the first application of Giles Germicide. After I noticed the pain decreasing I again applied it, and in less than an hour I fell asleep and had the first good rest free from pain in 48 hours. By morning the inflammation had subsided, and there was no perceptible pain \* \* \*. For Indigestion \* \* \*. I take great pleasure in recommending Giles' Germicide as a cure for Indigestion. I was troubled several years with this complaint and at times suffered greatly. After taking this medicine for a short time all symptoms of the disease disappeared, and I found I could eat anything I desired without disagreeable results \* \* \*. Stung by a Stingaree \* \* \*. Some time ago I was \* \* \* stung by a Stingaree, a very poisonous fish, and in consequence my leg swelled to double its normal size, and upon going to the doctors they said that an operation would be necessary \* \* \*. In one week was entirely cured of my wound, and I must say it was a miraculous cure, and in conclusion will say that I \* \* \* recommend the famous Giles' Germicide \* \* \*. Prostate Gland Troubles and Other Ills \* \* \*. I have suffered for several years from Prostate Gland trouble, which has caused Cystitis and other ill; and the only relief that I have received was and is by the use of this Blood Purifier. I have used about three bottles and feel that it has done me much good \* \* \*. It is an excellent tonic also, and I have not for years been able to eat mince pie and other favorites of my boyhood days; now at 66 I can safely eat anything, for I have the article that will prevent me from suffering from indigestion. If I feel a cold coming on I take a spoonful on going to bed and am all right in the morning. If I have an ache or pain I apply it to the part and am relieved \* \* \*. In fact, I hardly know what to state in the manner of cramps, pains—inside and out \* \* \* aches of every kind, that it is not good for. My kidney trouble has been relieved, and I believe by its use to be entirely free from that suffering. I have no more dyspepsia. It relieved my little daughter, who had an abscess in the ear \* \* \*. Dislocated Ankle \* \* \*. When I first commenced to use it, I applied it to a dislocated ankle; nothing prior to it would ease my pain, but upon the second application I retired and went to sleep very comfortably without pain \* \* \*. Female Diseases \* \* \*. Two years ago my wife was operated upon for tumors in the side. After the operation she failed in health and weight. Six months later the doctors said she would have to undergo another operation and have both ovaries removed. I \* \* \* was advised \* \* \* to first try your Giles' Germicide \* \* \*. My wife began to gain in health and strength and the pains all left her. She is now good and strong and the tumors have disappeared \* \* \*. Piles \* \* \*. Last August I had a very bad attack of Itching and Bloody Piles. Four or five applications of Giles' Germicide completely cured me, or at least I have not had symptoms of Piles since \* \* \*. Several months since I had a severe attack of Protruding Piles, which I successfully treated with Giles' Germicide \* \* \*. In a week they had completely disappeared and were never forced back by me. I have no trouble or symptoms of them since that time and consider them as cured \* \* \*. Paralysis \* \* \*. Having



been almost helpless for five years from the effects of a paralytic stroke, was induced to try your remedy and pleased to say the same gave me immediate relief \* \* \*. I take great pleasure in recommending it to all households for all ailments \* \* \*. Saved His Son's Life. We took up Giles' Germicide as a last resort, and used it for a son of mine, who was lying at the point of death, and practically given up by \* \* \* who pronounced his case one of intermittent fever and urinary poison. He is now well and hearty, and we feel very grateful \* \* \*. Croup \* \* \*. Measles \* \* \* I tried it on was Croup, with the very quickest of results. The next was that of Measles \* \* \*. She was sick but two or three days and then played all of the time, not missing a meal or having a cough. Her body and face broke out perfectly in one night. There is not a thing happens in my family in the way of sickness or accidents but what we use this remedy, and with the most astonishing results \* \* \*. Had Rheumatism Six Years, Relieved with Three Bottles of Giles' Germicide \* \* \*. I suffered with Rheumatism, off and on, for six years, often being confined to my bed. Three bottles of Giles' Germicide cured me, and I have not been troubled since taking it. I can recommend it to anyone as a good and reliable cure \* \* \*. Rheumatism Relieved with Three Bottles \* \* \*. For two years I have been troubled with Rheumatism \* \* \*. I am now taking the third bottle of Giles' Germicide and feel entirely cured \* \* \*. Ulcerated Tonsils \* \* \*. I suffered with Ulcerated Tonsils for two years and was unable to get any permanent relief until I used Giles' Germicide. I used two bottles of the Germicide and up to the present time, August 22, 1899, my tonsils have not troubled me. I can also recommend your medicine as a sure cure for Eczema."

It was alleged in the libels that the articles were misbranded in that the above-quoted statements appearing in the labeling were false and fraudulent, since the said articles contained no ingredients or combinations of ingredients capable of producing the effects claimed. Misbranding was alleged for the further reason that the following statements, borne on the labels, were false or misleading in that one of the ingredients of the articles, camphor, is capable of producing poisoning: (Portion of Giles magic lotion & blood purifier, tin container) "No poisonous drugs or deleterious matter;" (circular) "Germicide \* \* \* Antiseptic \* \* \* There is no danger of an overdose and it may be administered as frequently as necessary without danger of bad after effects. There is no danger in giving 'Giles' by the nostrils;" (portion of Giles magic lotion & blood purifier, tin container) "Guaranteed by Giles Remedy Co. to contain no poisonous drugs or deleterious matter \* \* \* Germicide, Antiseptic \* \* \* no danger from an overdose;" (portion of Giles magic lotion & blood purifier, circular) "A perfect Germicide treatment \* \* \* Non-poisonous \* \* \* There is positively no danger in giving larger doses \* \* \* No harm can possibly be done to their cows;" (Giles germicide, carton.) " \* \* \* to contain no poisonous Drugs or deleterious matter \* \* \*. Germicide is a condensed form of oxygen absorbed in a neutral oil \* \* \* it is perfectly harmless to the system and can be taken with perfect safety for any length of time, either by adults or infants \* \* \* absolutely harmless;" (label) " \* \* \* to Contain no Poisonous Drugs or Deleterious Matter;" (circular) "This remedy contains no harmful or dangerous ingredients and may be used for infants or adults with perfect safety without medical supervision."

Adulteration was alleged for the reason that the strength or purity of the articles fell below the professed standard or quality under which they were sold, namely: (Portion of Giles magic lotion & blood purifier, tin container) "No poisonous drugs or deleterious matter \* \* \* A Germicide, Antiseptic;" (circular) "Germicide, Antiseptic;" (portion of Giles magic lotion & blood purifier, tin container) "Germicide, Antiseptic;" (circular) "A Perfect Germicide Treatment \* \* \* Non Poisonous \* \* \* A True Germicide;" (Giles germicide, carton) "Germicide \* \* \* Germicide \* \* \* with which has been combined germicide, antiseptic, and alterative agents \* \* \*. Germicide is a condensed form of oxygen absorbed in a nutritive oil \* \* \* it acts upon disease germs, it is perfectly harmless to the system and can be taken with perfect safety for any length of time by either adults or infants \* \* \* Absolutely harmless;" (label) "A Magical Germicide, Antiseptic \* \* \* to Contain No Poisonous Drugs or Deleterious Matter;" (circular) "This remedy contains no harmful or dangerous ingredients and may be used for infants or adults with perfect safety without medical supervision \* \* \* Germicide \* \* \* A Superior Germicide, Antiseptic."

On July 14, September 10, October 10, October 31, and December 21, 1928, respectively, no claimant having appeared for the property, judgments of condemnation and forfeiture were entered, and it was ordered by the court that the products be destroyed by the United States marshal.

R. W. DUNLAP, *Acting Secretary of Agriculture.*

**16154. Misbranding of cottonseed meal. U. S. v. 80 Sacks of Cottonseed Meal. Consent decree of condemnation and forfeiture. Product released under bond.** (F. & D. No. 22852. I. S. No. 8786-x. S. No. 907.)

On or about July 2, 1928, the United States attorney for the District of Minnesota, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying seizure and condemnation of 80 sacks of cottonseed meal, remaining in the original unbroken packages at Minneapolis, Minn., alleging that the article had been shipped by the Elk City Cotton Oil Co., from Elk City, Okla., April 13, 1928, and transported from the State of Oklahoma into the State of Minnesota, and charging misbranding in violation of the food and drugs act. The article was labeled in part: "Elko Brand Cottonseed Cake or Meal Elk City Cotton Oil Co. Elk City, Oklahoma. Guaranteed Analysis Crude Protein Minimum 43 per cent."

It was alleged in the libel that the article was misbranded in that the statement "Crude Protein 43 per cent," borne on the label, was false and misleading and deceived and misled the purchaser.

On August 9, 1928, the Schreiber Mill & Grain Co., Minneapolis, Minn., having appeared as claimant for the property and having consented to the forfeiture and condemnation of the product, a decree was entered ordering that the said product be released to the claimant upon payment of costs and the execution of a bond in the sum of \$250, conditioned in part that it be properly labeled according to its protein content under the supervision of this department.

R. W. DUNLAP, *Acting Secretary of Agriculture.*

**16155. Misbranding of B-L and Blud-Life. U. S. v. 6 11/12 Dozen Bottles of B-L, et al. Consent decree of condemnation and forfeiture and order of release under bond, with respect to portion of product. Default decrees of condemnation, forfeiture, and destruction, with respect to remainder.** (F. & D. Nos. 22165, 22166, 22173, 22177, 22213. I. S. No. 17555-x. S. Nos. 215, 222, 226, 230, 274.)

On or about November 15, 17, 25, 29, and 30, 1927, respectively, the United States attorneys for the Northern District of Florida, Southern District of Florida, Southern District of California, and Middle District of Georgia, acting upon reports by the Secretary of Agriculture, filed in the District Courts of the United States for said districts libels praying seizure and condemnation of 3 dozen bottles of Blud-Life and 435 1/4 dozen bottles of B-L, formerly called Blud-Life, in various lots at Pensacola, Fla., Jacksonville, Fla., Miami, Fla., Los Angeles, Calif., and Valdosta, Ga., respectively, consigned by the Blud-Life Co., in part from Pulaski, Va., and in part from Baltimore, Md., alleging that a portion of the article had been shipped in interstate commerce from Baltimore, Md., into the State of California, on or about July 16, 1927, and that the remainder had been shipped from Pulaski, Va., into the States of Florida and Georgia, respectively, in various consignments between the dates of September 7, 1927, and October 17, 1927, and charging misbranding in violation of the food and drugs act as amended.

Analysis of a sample by this department showed that the article consisted essentially of magnesium sulphate (Epsom salt) with small amounts of phosphate, salicylate, iron, quinine, and strychnine, dissolved in water and colored red.

The portion of the product designated as Blud-Life was labeled in part: (Carton) "Blud-Life \* \* \*. Recommended in the treatment of Constipation \* \* \*, a general Run Down or Anemic Condition and Appearance \* \* \*. Blud-Life is an Excellent \* \* \* Builder for Children \* \* \* Blud-Life Company \* \* \*. Rich, Red, and Pure Blood is the Emblem of Health and is Man's Delight. Improve your blood with Blud Life. (Cut depicting circulatory system in bright red color.) Your Blood should be like this. Blud-Life tends to remove impurities from the blood, and leaves it rich, red, and strong \* \* \*. After taking Blud-Life every night as indicated, continue its use regularly twice each week, to cleanse the linings of the stomach and intestines of all lingering food particles before it decays and is taken up by the blood. A fine \* \* \* builder for children. Blud-Life is



an excellent \* \* \* builder for children. It aids them to develop normally, gives them a good appetite and assists them in properly digesting and assimilating their food. It will also prevent them from having boils and 'spring sores.' Blud-Life contains no \* \* \*, nor anything to injure the most delicate child. It quickly restores lost weight to under-nourished children. Thin, pale, weak, and impure blood is the delight of disease. Germs thrive in it and soon undermine your health. Improve your blood with Blud-Life. (Cut depicting circulatory system in faint red color.) Is your blood like this? The blood is often thin, pale, weak, and full of impurities;" (bottle label) "Blud-Life \* \* \* a valuable aid in the treatment of constipation, and in cleansing and strengthening the blood, repairing the system, and restoring lost appetite, weight, and energy. An excellent \* \* \* builder for children \* \* \* Blud-Life Company. \* \* \* to quickly and completely cleanse your stomach and bowels \* \* \*. For boils and carbuncles, take large doses." The portion of the product designated as B-L was labeled in part: (Cartons) "B-L formerly called Blud-Life \* \* \*. Red and pure blood does not exist when an anemic condition is present \* \* \*. If you have an anemic condition of the blood and need a good tonic and appetizer, try B-L which supplies the need in pleasant and scientific form. \* \* \* Blud-Life Company;" (portion of cartons) "B-L \* \* \* for children \* \* \* may be given to them with perfect safety, since it contains no \* \* \* nor anything to injure the most delicate child;" (bottle labels) "B-L formerly called Blud-Life \* \* \* Blud-Life Company. \* \* \* to quickly and completely cleanse your stomach and bowels; (portion of bottle labels) "A valuable aid in the treatment of constipation;" (blown in portion of bottles) "Blud-Life the great anti-toxic." The article was accompanied by booklets containing the following statements: (Booklets) "The name 'Blud Life' has been shortened to 'B-L' \* \* \*. It is significant. To the many thousands of sufferers who need this medicine shines forth this hope: 'B-L—Makes Well' \* \* \*. While the name has been changed from 'Blud-Life' to 'B-L,' no change whatever has been made in the formula of this famous medicine. It is the same today as it always has been—the same wonderful Blud-Life ingredients; the same high Blud-Life standards of quality and merit \* \* \*. B-L tends to cause an increase in the number of red blood cells \* \* \*. B-L \* \* \* tends to increase weight and energy. B-L tends to eliminate intestinal poison which might increase blood pressure. B-L is good for that 'tired feeling.' Tends to correct faulty elimination, a contributing cause of boils. B-L tends to stimulate elimination of secretions of liver, kidneys, and bowels. In the preparation of B-L there have been employed in scientific combination medicinal agents recognized by leading authorities as \* \* \* effective in improving the blood \* \* \*. B-L Improves the Appetite, thereby Tending to Increase Weight and Energy. Tests conducted in one of the large laboratories for four weeks, on six patients, showed that two of them gained ten pounds each. These patients were in a very run down condition. In other words, the tests were carried on under very severe conditions, but every one gained weight, and two out of six gained ten pounds each in four weeks. B-L Tends to Prevent a form of High Blood Pressure under Certain Conditions. High blood pressure is often caused by the poison of poorly digested food. It is also caused by the food which can not be digested, but which remains in the body so long that it begins to develop poisons. So that B-L tends to prevent one form of increased blood pressure by causing a more thorough elimination of poisons. The waste matter that is developed in poorly digested food, if retained in the intestines is absorbed, and tends to increase blood pressure. B-L tends to Remove One of the Causes of Boils. An important factor in the development of boils is poor resistance resulting from impaired digestion and elimination. The improvement in elimination resulting from the use of B-L will tend to remove one of the causes by which boils gain a foothold. B-L tends to Stimulate the Secretions and Relieve one of the Causes of Rheumatic Aches. B-L stimulates the secretions of the kidneys and bowels. In this way, there is a tendency to remove one of the causes of so-called rheumatic aches \* \* \*. B-L is Good for That Tired Feeling. B-L has a tendency to increase the number of red blood cells, and give it more power (increase hemoglobin) to destroy the poisons that cause 'that tired feeling' \* \* \*. Where is that 'Slender Thread of Life' Located? You can often hear the expression, 'We are held here on earth by a slender thread of life,' but did you ever ask yourself in what part of your body this thread of life is located? Some will say it is in the heart and others



that the brain contains this vital something. If you desire the Highest Authority on this important subject, read the 17th Chapter of Leviticus, and you will find God's own definition. There He tells us 'The Life of all flesh is in the Blood (Lev. 17:11), and also in the 14th verse of the same chapter He says, 'For the life of all flesh is the blood.' He has made our brain and heart, bone and muscle of such material that the school boy can analyze them and tell their various elements, but not even the most learned doctors and chemists are permitted to fathom the blood; therefore, it is impossible to rebuild blood. Skilled surgeons successfully operate on every part of the body, but make a small opening in an artery at the wrists and allow the blood to flow out, and while the body is still warm, ask the most noted doctor to replace this thread of life. Can he do it with chemicals? He can not. The only way in which life can be restored is by transfusion; that is, by borrowing the same life-blood from another living being. The importance of such a Tonic as B-L. The vital part played by the blood in the human system is beyond question. To do this most important work, the blood, for obvious reasons, must be as nature intended. Unfortunately, however, in these modern times when the complexity of society imposes such heavy burdens upon humanity, we frequently find an anemic state of the blood and the individual is in what is commonly referred to as a run down condition. Two important questions are suggested by this situation. Is it possible to correct such an anemic state of the blood and relieve a person in a run down condition of that sort? And, if so, how may this necessary assistance be obtained? The answer to each inquiry is 'Yes,' with such qualifications as are suggested by common sense and indicated later in this discussion. What Poor Blood Requires. While the members of the medical fraternity, as is the habit of professional men, not infrequently disagree as to the merits or demerits of a particular method of treating some disorder or condition of the human body, they seem to be in substantial accord here. In other words, the consensus of opinion among skilled medical men is that a poor condition of the blood may be remedied and that one method of treatment seems to stand out from and above all others. To be more specific, skilled medical men are almost unanimous in the view that an anemic condition of the blood should be treated by the administration of a certain medicinal agent, particularly an agent that has been scientifically combined with other ingredients calculated to give it special value to the blood. It is not the province of this booklet to discuss the scientific reasons why this particular combination of ingredients has virtue, nor will space permit. However, it may be stated that among skilled medical men the prevailing belief is that the use of the particular medicinal agent above referred to in combination with the other ingredients is calculated to result in a tonic effect, in increased activity of the organs of elimination, and in some measure of relief from a run down condition. B-L fills the need. In the preparation of B-L the importance of this medicinal agent to the blood has been carefully and scientifically considered. Not only has that vital agent been employed, but it has been so prepared and blended with other ingredients as to render B-L a wonderful combination of medicinal agents with tonic properties. In other words, this medicinal agent is only one of the essential ingredients of B-L and has been mentioned merely to indicate the substantial basis for our statements regarding our preparations \* \* \*. Beware of Bad Breath and Bitter Mouth \* \* \*. After taking B-L every night as indicated, continue its use regularly twice each week, to flush the linings of the stomach \* \* \*. B-L will frequently relieve a headache, if taken in hot water from thirty minutes to an hour before meal \* \* \*. B-L has splendid tonic properties in an anemic state of the blood and a run down condition. Then it is that the red corpuscles in the blood are insufficient in numbers, the oxygen carrying power of these corpuscles impaired, the quantity of haematin and haemoglobin or red coloring matter of the blood deficient, and the quantity of the blood below normal. With an improvement of this anemic state of the blood, a run down condition due to such deficiency is relieved \* \* \*. Laboratory tests prove that the taking of B-L causes a steady increase in the number of red blood cells, and in the red coloring matter in the blood \* \* \*. B-L as a tonic \* \* \*, should be \* \* \* used frequently \* \* \*, even though there may be no anemic state of the blood or a run down condition. Remember the old adage about the ounce of prevention. \* \* \* B-L \* \* \* will flush the stomach \* \* \*. I am enclosing money order for three bottles of B-L. I have taken 1½ bottles for indigestion and am much improved. It

is indeed a wonderful medicine \* \* \*. I have used B-L for indigestion. I had been suffering from it for about eight years, and had tried almost every kind of medicine, but none gave me relief; I have taken four bottles of B-L and I feel like a new man. I went from 126 to 142 pounds in four months. Now, I can eat anything without any ill effects. I keep a bottle of B-L on hand always \* \* \*. I have taken one bottle of B-L and find it a fine medicine for indigestion \* \* \*. 2 Bottles—'Now Well.' I suffered two months with indigestion and stomach trouble, and I have used two bottles of B-L, and now I am entirely well \* \* \*. Health after 15 years' Sickness. I had been sick for 15 years and could not eat anything. My food would not digest, and my breath would be short, and I would swell up. I could not sleep at night. I saw your advertisement of B-L, and got a bottle of it, and was so well pleased with it that I am now on my third bottle. I now feel as though I am well \* \* \*. I am glad to say that your treatment has done me worlds of good. I feel like a new man. I have suffered with indigestion for the past seventeen years, but since using two bottles of your B-L, I can eat anything I want to and do not have any trouble. I am well now \* \* \*. It is the best medicine for indigestion that I have ever seen. Before taking B-L I could not eat meat at night, but now it does not hurt me \* \* \*. I have been suffering with my stomach for the last ten or twelve years. \* \* \* your wonderful medicine has helped me so much. I feel much better now \* \* \*. I have taken one bottle of B-L \* \* \*. Before taking it I could not sleep at night, had no appetite \* \* \*, after taking one bottle of B-L \* \* \* I can eat anything I want and sleep sound all night \* \* \*. It has increased my health very much \* \* \*. I can now eat anything, and it does not hurt me. I can do anything I want to, and it does not worry me at all, and I sleep well every night \* \* \*. I have been troubled with constipation for years, sometimes going 3 or 4 days without an action. Since taking B-L I have been having regular actions. The effects seem to last, and I do not have any trouble for long, long periods of time, whereas I used to have to take laxatives regular, which gave only temporary relief. I recommend B-L for constipation, especially for older people \* \* \*. Headache during monthly periods \* \* \*. Before I began taking B-L my health was so bad that I had sick headaches twice a month. I was in a weak and run-down condition. I weighed 110 pounds. Before I began taking B-L I was not able to go over our farm, now I can work anywhere in the field or house—do all my work \* \* \*. Dizzy Head \* \* \*. I suffered two years with my head. At times I could hardly see \* \* \*. I said it was blind staggers \* \* \* B-L \* \* \*. I decided to try a bottle and to my surprise it did me more good than anything I have tried \* \* \*. What the use of B-L has done for me. I was suffering greatly with indigestion \* \* \*. I could not eat anything at night and sleep in peace; indigestion would almost kill me. Now I can eat anything, and go to bed and sleep until morning without anything bothering me \* \* \*. B-L \* \* \* after taking the first bottle, I gained 17 pounds, and could eat most anything without fear. B-L did wonders for me \* \* \*. Increased appetite and Weight \* \* \*. I was all run down on account of having had 'Flu.' I could not do any work, and could not write with a pen at times. \* \* \* I have taken one bottle of B-L and now eat hearty and can work all day. I have gained seven pounds \* \* \*. B-L. I have taken two bottles and have gained 30 pounds \* \* \*. B-L has sure done me lots of good \* \* \*. Before I took B-L I felt so tired and so weak that I could hardly get one foot in front of the other and I weighed only 114 pounds. Now I weigh 140 pounds \* \* \*. Makes her look young \* \* \*. Before beginning its use I was weak and pale, could not eat or sleep, but since taking these two bottles of B-L, I now sleep well, and look like a real young person \* \* \*. B-L should be named 'Life-Saver' \* \* \*. My son was all run down, and I gave him only one dose and he felt just fine \* \* \*. My blood pressure was between 185 and 190. I used B-L for six months, and it brought my blood pressure to a little below normal \* \* \*. My blood pressure is now a little above normal, and I expect to take a little B-L from time to time to keep it normal \* \* \*. I was weak, without any appetite, and my stomach was in such a condition when I ate any food it nauseated me. I could not sleep at night. The cause of my condition was from having been gassed while serving with the U. S. Marines overseas. My brother recommended B-L, and after taking a few doses my condition improved. I have used two bottles, and I now have a good appetite, digest my food well, and sleep well at night \* \* \*. The doctor here told



me I had neuritis caused from pyorrhoea of the teeth \* \* \*. After I had taken two bottles of B-L, I began to improve rapidly, and at present, I feel fine \* \* \*. I was very sick \* \* \* they all said maybe I had rheumatism \* \* \*. I was very weak and very sleepy every day. I had to go to sleep because my limbs would give up and I was so weak inside that I had to lie down \* \* \*. Since I have taken B-L I don't have to go to bed, I feel strong, and my limbs don't bother me any more \* \* \*. Can eat anything \* \* \*. Dizziness, Roaring in Head \* \* \*. Before I started taking B-L, my head was all out of order; it just roared all the time, and when it didn't roar, I had a swimming in my head which made me feel like I was going over on my head all the time, and I would be so nervous until I could not do any work at all, and no nights did I sleep over one or two hours, then get up with that awful swimming in my head; but now, I am glad to say that B-L is worth its weight in gold. It is a wonderful medicine and I am so glad to find relief for my head and other troubles. \* \* \* since taking it myself I have been able to eat and sleep like I never did before. I was also troubled with pains in the back. They have also left me. In fact I feel like a two-year old, although I'll admit 57 \* \* \*. I have been troubled with pains in my legs and arms, and I had seen your B-L advertised, so I got a bottle and it helped me \* \* \*. My girl baby has always been bothered with indigestion. October 23 spinal meningitis set up from indigestion which left her stomach until it would not digest any food. Doctors tried everything on her stomach, finally got her started to eating delicate food, but she would take a spell of indigestion every few days until I began to give her B-L. Since then she hasn't had a single touch of indigestion and is healthy looking \* \* \*. Since taking B-L I have not been bothered with neuralgia half as much as I was before taking B-L \* \* \*. It was alleged in substance in the libels that the article was misbranded in that the statements borne on the labels, as above, were false and fraudulent, since the said article contained no ingredient or combination of ingredients capable of producing the effects claimed. It was further alleged in the libels, with respect to portions of the product, that the cuts in the booklet depicting weak, thin, pale blood, and rich, red, pure blood, accompanied by the statements, "Is your blood thin, weak, and watery like this? It should be rich, red, and strong, like this," were also false and fraudulent. Misbranding was alleged with respect to a portion of the article for the further reason that the statement in the booklet, "Fine Tonic For Children. B-L, because of its great tonic properties, is especially good for children, and may be given with perfect safety as it contains no alcohol nor anything to harm the most delicate child," was false.

On March 4, 1928, the Blud Life Co., Atlanta, Ga., having appeared as claimant for 400 dozen bottles of the product, and having admitted the allegations of the libel and consented to the entry of a decree, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the said 400 dozen bottles of the product be released to the claimant upon payment of costs and the execution of a bond in the sum of \$2,250, conditioned in part that it be re-labeled in accordance with the law. On April 11, June 27, November 26, and November 30, 1928, respectively, default decrees of condemnation, forfeiture, and destruction were entered with respect to the balance of the product.

R. W. DUNLAP, *Acting Secretary of Agriculture.*

**16156. Misbranding of acid iron mineral compound. U. S. v. 19/12 Dozen, et al., Bottles of Acid Iron Mineral Compound. Default decrees of condemnation, forfeiture, and destruction. (F. & D. Nos. 22940, 22941, 22942, 22984. I. S. No. 02328. S. Nos. 1000, 1001, 1002, 1041.)**

On August 2, August 3, and August 16, 1928, the United States attorneys for the District of Maryland, Southern District of Georgia, and Southern District of New York, acting upon reports by the Secretary of Agriculture, filed in the District Courts of the United States for said districts libels praying seizure and condemnation of  $7\frac{1}{2}$  dozen large-sized bottles, and  $44\frac{1}{2}$  dozen small-sized bottles of acid iron mineral compound, remaining in the original unbroken packages in various lots at Baltimore, Md., Savannah, Ga., and New York. N. Y., respectively, alleging that the article had been shipped by the Acid Iron Mineral Percolating Corporation, from Salem, Va., in various consignments, on or about March 16, March 17, March 29, and July 26, 1928, respectively, and had been transported from the State of Virginia into the States of Maryland, Georgia, and New York, and charging misbranding in violation of the food and drugs act as amended.



Analysis of a sample of the article by this department showed that it consisted essentially of a brownish-colored, slightly acid solution of iron, aluminum, and magnesium sulphates, with a small amount of phosphates.

The article was labeled in part: (Bottle) "For Good Health \* \* \* As a Tonic, take a half teaspoonful in a glass of water \* \* \*. For Cuts, wounds or old sores, apply full strength. It is valuable in stopping bleeding. Apply full strength to affected parts in treating any skin disease. For Piles, use as a tonic, and use an injection half strength in warm water. For Female Trouble use as a tonic, and injection, using one tablespoonful to half pint warm water. For Premature Old Age, or tired feeling, take as a tonic. It enriches the blood; tones up the system; renews the strength and vigor; aids digestion; (carton, English) "For Good Health;" (carton, Spanish) "For Good Health \* \* \* It is highly recommended for disorders of the stomach, rheumatism, lumbago, neuralgia, indigestion, liver, kidneys, bladder, catarrh, eczema, gout, diseases of women and ulcers of long standing. As tonic, regenerator of the system and purifier of the blood, it has no rival \* \* \*. Apply it externally for cuts, wounds \* \* \*, bites and ulcers of long standing." (Italian—The translation from Italian embodies essentially the same objectionable statements appearing on the carton in Spanish); (circular) "Nature's Formula 'For Good Health' \* \* \*. Acid Iron Mineral is an old and well tried Remedy \* \* \*. Every member of the family can safely use Acid Iron Mineral as a general tonic \* \* \*. Acid Iron Mineral is Nature's own Formula, possessing priceless qualities of medicinal properties in proportions no chemist has successfully been able to duplicate. Acid Iron Mineral is Positive in Action \* \* \*. Speedy in its results \* \* \*. As a General Tonic: Acid Iron Mineral contains the correct amount of Iron and other Minerals to tone up the entire system. As a general tonic it is unexcelled. For run down condition, nervousness, overwork, loss of appetite, sleeplessness, lack of energy, and wherever need of a good tonic is felt use A-I-M as follows: In prolonged cases start by using one-fourth to one-half teaspoonful in glass of water three times a day, after meals. Note: If the patient is in an extremely run down condition, commence by using one-fourth teaspoonful of A-I-M to glass of water, after the first few days gradually increase until the proper dose is reached. A-I-M Relieved Nervous Condition \* \* \*. For years I suffered from weak nervous prostration. I was completely run down and my head seemed always dizzy. My back and shoulders hurt and nothing I could do seemed to help me. A friend of mine advised me to try A-I-M because it had been so beneficial to her. I bought a bottle and after the first few days am glad to say I received great benefits from it. My nerves were strengthened, I gained a good appetite, and my pains and dizziness left me. I found so much relief that I cheerfully recommend its use to those suffering as I did \* \* \*. Cuts Wounds \* \* \*, Etc. \* \* \*. Acid Iron Mineral full strength, then cover with bandage or cloth well saturated with it. Keep bandage moist with A-I-M until wound is healed. In cases of deep wounds and blood poisoning consult a doctor immediately. Stopping Flow of Blood: In severe cases of bleeding use A-I-M full strength freely, keeping bandage saturated at all times. Extreme care must be taken to keep wound clean. If wound is deep consult your doctor \* \* \*. A-I-M is surely the greatest remedy on earth to stop bleeding. Some time ago my son, M. S. Moore, had his tonsils removed and lost so much blood that three of the best physicians of Roanoke and Salem were summoned, but were unable to stop the blood after trying all the agents known to medical science for that purpose. As a last resort Acid Iron Mineral was tried and the Blood Stopped Immediately. I Am Sure It Saved His Life and I cannot say too much in its praise \* \* \*. For Pyorrhea and Bleeding Gums. Moisten a little absorbent cotton with A-I-M full strength and rub the gums twice a day. Burns. Bathe the affected parts freely with A-I-M full strength. Repeat the application until all pain has subsided. Keep water away from burns if possible for several days \* \* \*. Snake Bites \* \* \*. Apply A-I-M full strength freely and often to the bite. In case of severe snake bite use A-I-M immediately and consult your physician. Used Successfully on Snake Bite \* \* \*. I saw Acid Iron Mineral used on a man who was bitten by a Highland Moccasin, better known as the Copper Head Snake. Am glad to say that A-I-M stopped the swelling immediately and there were no after effects from the bite, which is really remarkable. I certainly can recommend A-I-M for snake bite, and I will never be without it \* \* \*. Indigestion, Dyspepsia, and Acidity. One-half teaspoonful of A-I-M in a glass of water three times a day after meals.

A-I-M does not produce an acid condition of the stomach, but will speedily correct acidity. Acute Indigestion. Take one-half to one teaspoonful A-I-M in small glass of water three times a day after meals. \* \* \* until relieved; if patient is a chronic sufferer from Acute Indigestion total abstinence from sugar will be of great benefit \* \* \*. I have been taking Acid Iron Mineral for indigestion and it is fine. For years I was a great sufferer after eating, but now I can eat anything and enjoy it, with the aid of A-I-M. It is also a wonderful tonic. I believe it will help anyone who has a weak stomach or needs a tonic \* \* \*. For a long time I suffered from Acute Indigestion and ulcerated stomach. My food was slow in digesting and I had severe stomach pains almost continually \* \* \*. I want to say that the results are wonderful. I was quickly relieved after taking a few doses of A-I-M \* \* \*. I feel I have something to rely on at all times \* \* \*. Stomach Trouble. For general upset condition of the stomach, bloated feeling, coupled with loss of appetite, coated tongue, and general falling off in weight, use 30 to 50 drops A-I-M in glass of water three times a day after meals. Sore Throat and Tonsillitis. Use one-half to one teaspoonful A-I-M in glass of water every hour until soreness is relieved. Then use three times a day until completely recovered. For very severe throat affections \* \* \*. Where Diphtheria is suspected swab throat as above and consult your physician. Catarrh. Mix one teaspoonful A-I-M in glass of water. Then spray the nostrils with rubber spray or atomizer. Gargling with same strength is also very effective. Excellent for Catarrh \* \* \*. I suffered with Catarrh of the head for fifteen years. I took special treatments from two physicians \* \* \*. The excruciating pains I suffered in eliminating the tough, stringy matter from my nose is impossible to describe. Since using six bottles I have happily gone through two winters without feeling any symptoms of catarrh \* \* \*. Colic, Cramps, Infantile Indigestion. For Infants one to six months old, two to five drops in a little water; from six months to three years old, five to ten drops in water; three to five years old, ten to twenty drops in water \* \* \*. Diarrhea, Cholera Morbus and Flux \* \* \*. Kidney and Bladder Trouble. Take one-half to one teaspoonful A-I-M in a glass of water three times a day and at night before retiring \* \* \*. A-I-M Succeeds Where Others Fail \* \* \*. I suffered from liver, stomach, and kidney trouble until I could not rest at night. I became very weak and felt sleepy and dizzy all day and was so run down that I had almost given up hope. I spent many dollars with doctors and patent medicines, but did not get much relief until I began taking Acid Iron Mineral. After a few doses of Acid Iron Mineral \* \* \* I began to notice a change for the better. I did not have to get up so often at night and I felt refreshed in the morning. I gained my strength and can now do any kind of work. I cannot praise Acid Iron Mineral enough as it did me so much good, and I advise any one suffering from Liver, Stomach or Kidney trouble to try Acid Iron Mineral \* \* \*. I have used A-I-M in my practice for a number of years and find that it has no equal as a nerve, blood purifier, and liver medicine. In the treatment of indigestion, dyspepsia, and female complaints nothing can compare with it \* \* \*. Malaria. As a preventive one-half teaspoonful of A-I-M three times a day after meals in a glass of water. Blood Diseases. As a blood purifier: \* \* \* A-I-M Brings Health to Child \* \* \*. My little son now seven years old suffered from bladder and stomach trouble. He had a poor appetite and had fever every summer \* \* \*. He now has good health and a first-class appetite, and sleeps well at night. We feel that A-I-M has succeeded where others failed \* \* \*. Rheumatism \* \* \* Rheumatism Gone—Health Returns \* \* \* For years I suffered from rheumatism. My health was getting very bad, I had to work hard and could hardly move. My back hurt and I was nervous and could not sleep well, and I had no appetite. Almost from the beginning I began gaining strength, my appetite came back. I can sleep perfect at night and what is more important my rheumatism has left me \* \* \*. Says 'Goodby to Rheumatism' \* \* \*. I have been a great sufferer for more than five years with rheumatism and a swelling of my feet and limbs, something like dropsy. Also my nerve system was a total wreck and I had no life in me at all. But after using three bottles of A-I-M and two boxes of A-I-M Pills I today call myself a well woman. I feel as young and supple as a fifteen-year-old girl \* \* \*. Skin Diseases; For Tetter, Eczema, Erysipelas, and other skin diseases, bathe the affected parts with A-I-M full strength. As a tonic take one-half teaspoonful in a glass of water three times a day after meals. Pellagra: Bathe the affected skin with



A-I-M full strength each night before retiring. As a tonic one-half teaspoonful A-I-M in water three times a day after meals and continue several weeks after the disease disappears \* \* \*. Guarantee. We guarantee that A-I-M will do all that we claim for it. If after taking two-thirds contents of the bottle as prescribed in directions, you are not satisfied with the results, return balance of bottle to us postpaid, together with a letter stating your case, and we will refund the full purchase price of same \* \* \*. Our Guarantee Protects You \* \* \*. A-I-M Heals Bad Case of Eczema \* \* \*. I suffered from eczema for about two years. I tried many different things without any benefit. I first had boils on my legs and the parts would not heal. My legs would feel like I had lumps of ice under the skin and clear water would ooze from the sore parts \* \* \*. I bought my first bottle and used according to directions and bathed the affected parts with same. I am delighted with the results. My legs are now healed after using only four bottles \* \* \*. Sore Eyes. For Granulated Eye Lids and Inflammation mix fifteen drops of A-I-M in a glass of water and bathe the affected parts twice a day, using eye bath if convenient. Piles. Bathe the affected parts with a solution of equal parts A-I-M and warm water, use soft cloth or sponge. After three days of the above treatment use A-I-M full strength until relief is obtained. As a necessary tonic take one-half to one teaspoonful of A-I-M in a glass of water three times a day after meals \* \* \*. Female Trouble. Take internally one-half to one teaspoonful of A-I-M in a glass of water three times a day after meals. Also dilute one teaspoonful Acid Iron Mineral in one-fourth pint of warm water and use with syringe each night before retiring. In addition to Leucorrhea (Whites), Ulcerations, Tumors, Partial Prolapsus, use with glass syringe, two parts A-I-M with one of water for several times, after which use A-I-M undiluted each night before retiring. Always wash thoroughly the following morning, using fountain syringe with warm water \* \* \*. Sore and Tender Feet. Bathe freely with A-I-M full strength night and morning. After bathing allow A-I-M to dry on the feet without previously wiping. Old Running Sores. Bathe carefully night and morning with absorbent cotton or soft cloth saturated with A-I-M full strength \* \* \*. As sores are usually the results of blood condition take one-half to one teaspoonful of A-I-M in glass of water three times a day after meals to tone up the system. Would Not Be Without A-I-M \* \* \*. Enclosed find \$2.00 for which send me two large bottles of your famous Acid Iron Mineral, the remedy we find to be excellent in everything you claim. We keep a bottle in our home at all times and would not be without it \* \* \*. It's Nature's Own Remedy!!"

It was alleged in substance in the libels that the article was misbranded in that the above-quoted statements regarding the curative and therapeutic effect of the said article were false and fraudulent, since it contained no ingredient or combination of ingredients capable of producing the effects claimed.

On September 8, 1928, October 1, 1928, and January 25, 1929, respectively, no claimant having appeared for the property, judgments of condemnation and forfeiture were entered, and it was ordered by the court that the product be destroyed by the United States marshal.

R. W. DUNLAP, *Acting Secretary of Agriculture.*

**16157. Adulteration and misbranding of vinegar. U. S. v. 25 Cases of Vinegar. Decree of condemnation and forfeiture. Product released under bond. (F. & D. No. 22657. I. S. No. 19706-x. S. No. 687.)**

On or about March 22, 1928, the United States attorney for the District of North Dakota, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel, and on April 6, 1928, an amended libel, praying seizure and condemnation of 25 cases, each containing a number of bottles of vinegar, remaining in the original unbroken packages at Bismarck, N. Dak., alleging that the article had been shipped by the Robb-Ross Co., Sioux City, Iowa, on or about February 14, 1928, and transported from the State of Iowa into the State of North Dakota, and charging adulteration and misbranding in violation of the food and drugs act. The article was labeled in part: (Bottles) "Minneapolis Brand \* \* \* Pure Cider Vinegar, Reduced to 4% Acidity."

It was alleged in the libel as amended that the article was adulterated in that the contents of the said bottles were low in acid and had been diluted with water so as to lower, reduce, and injuriously affect its quality and strength.

Misbranding was alleged for the reason that the statement, borne on the label, to wit, "Pure Cider Vinegar," was false and misleading in that it represented



that the article was pure apple cider vinegar, and for the further reason that it was labeled as aforesaid so as to deceive and mislead the purchaser into the belief that it was pure cider vinegar, whereas, in truth and in fact, it was not but consisted in part of water.

On November 8, 1928, the Tollerton & Warfield Co., having appeared as claimant for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be released to the said claimant upon payment of costs and the execution of a bond in the sum of \$2,000, conditioned in part that it should not be sold or otherwise disposed of contrary to the Federal food and drugs act.

R. W. DUNLAP, *Acting Secretary of Agriculture.*

**16158. Misbranding of cottonseed meal. U. S. v. Elk City Cotton Oil Co. Plea of guilty. Fine, \$100 and costs. (F. & D. No. 23703. I. S. No. 8786-x.)**

On December 24, 1928, the United States attorney for the Western District of Oklahoma, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against the Elk City Cotton Oil Co., a corporation, Elk City, Okla., alleging shipment by said company, in violation of the food and drugs act, on or about April 13, 1928, from the State of Oklahoma into the State of Minnesota, of a quantity of cottonseed meal which was misbranded. The article was labeled in part: (Tag) "Elko Brand Cotton Seed Cake or Meal Elk City Cotton Oil Co. Elk City, Okla. Guaranteed Analysis Crude Protein (minimum) 43 per cent."

It was alleged in the information that the article was misbranded in that the statement, to wit, "Guaranteed Analysis Crude Protein (minimum) 43 per cent," borne on the tag attached to the sacks containing the said article, was false and misleading in that the said statement represented that the article contained not less than 43 per cent of crude protein, and for the further reason that it was labeled as aforesaid so as to deceive and mislead the purchaser into the belief that it contained not less than 43 per cent of crude protein, whereas it did contain less than 43 per cent of crude protein, to wit, approximately 39.7 per cent of crude protein.

On January 12, 1929, a plea of guilty to the information was entered on behalf of the defendant company, and the court imposed a fine of \$100 and costs.

R. W. DUNLAP, *Acting Secretary of Agriculture.*

**16159. Adulteration and misbranding of canned tomatoes and misbranding of tomato catsup. U. S. v. 170 Cases of Tomato Catsup, et al. Consent decrees of condemnation and forfeiture. Product released under bond. (F. & D. Nos. 22326, 22327. I. S. Nos. 20080-x, 20081-x, 20083-x, 20084-x, 20085-x, 20086-x, 20088-x. S. Nos. 324, 325.)**

On or about December 27, 1927, the United States attorney for the District of New Jersey, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district libels praying seizure and condemnation of 540 cases of tomato catsup and 313 cases of canned tomatoes, remaining unsold in part at Long Branch, N. J., and in part at New Brunswick, N. J., alleging that the articles had been shipped by Greenabaum Bros. (Inc.), Seaford, Del., in two shipments, namely, on September 27 and September 28, 1927, respectively, and transported from the State of Delaware into the State of New Jersey, and charging adulteration and misbranding of the canned tomatoes and misbranding of the tomato catsup, in violation of the food and drugs act. The articles were labeled variously in part: "Sundale Brand Tomatoes \* \* \* Packed by Greenabaum Bros., Inc. Seaford, Del.;" "Reel Tomatoes;" "Nanticoke Brand Pure Wholesome Tomato Catsup \* \* \* Packed by Greenabaum Bros., Inc., Seaford \* \* \* Del.;" "Hub City Brand Tomato Catsup \* \* \*;" "Reel Fancy Tomato Catsup."

Adulteration of the said canned tomatoes was alleged in the libels for the reason that a substance, water, had been substituted wholly or in part for the article and had been mixed and packed therewith so as to reduce, lower, or injuriously affect its quality or strength.

Misbranding was alleged with respect to the canned tomatoes and the tomato catsup for the reason that the labels bore the following statements, (tomatoes) "Tomatoes" (cut of red, ripe tomato), (portion of tomato catsup, bottle label) "Tomato Catsup," (bottle and neck label) "Made from carefully selected whole tomatoes, salt, sugar, spices, onions, and vinegar. Guaranteed Pure and to Comply with all U. S. Food Laws Contains no Artificial Color or Preservatives," (portion of tomato catsup, bottle label) "Tomato Catsup," (bottle and neck

label) "Made from \* \* \* ripe tomatoes, sugar, vinegar, salt, onions, garlic, and spices," (neck label) "Guaranteed Pure. Contains no Artificial Color or Preservative," (portion of tomato catsup, bottle label) "Tomato Catsup," (bottle and neck label) "Made from \* \* \* Ripe tomatoes, sugar, vinegar, salt, onions, garlic, and spices," (neck label) "We guarantee this Catsup to be Absolutely Pure. No Preservative or Artificial coloring," which statements were false and misleading and deceived and misled the purchaser. Misbranding was alleged with respect to a portion of the said tomato catsup for the further reason that it was offered for sale under the distinctive name of another article.

On March 5, 1928, Greenabaum Bros. (Inc.), Seaford, Del., claimant, having admitted the allegations of the libels and having consented to the entry of decrees, judgments of condemnation and forfeiture were entered, and it was ordered by the court that the products be released to the said claimant upon payment of costs and the execution of bonds totaling \$2,000, conditioned in part that they be reshipped to the claimant's place of business at Seaford, Del., to be relabeled or repacked so that they meet the requirements of the Federal food and drugs act. On June 18, 1928, the decrees were amended to permit the use of the canned tomatoes in the manufacture of chili sauce.

R. W. DUNLAP, *Acting Secretary of Agriculture.*

**16160. Misbranding of butter. U. S. v. 6 Cases of Butter. Consent decree of condemnation and forfeiture. Product released under bond. (F. & D. No. 22757. I. S. No. 20474-x. S. No. 835.)**

On May 5, 1928, the United States attorney for the District of Columbia, acting upon a report by the Secretary of Agriculture, filed in the Supreme Court of the district aforesaid, holding a District Court, a libel praying seizure and condemnation of 6 cases of butter, remaining in the original unbroken packages at Washington, D. C., alleging that the article had been shipped by the De Soto Creamery & Produce Co., from Minneapolis, Minn., April 26, 1928, and transported from the State of Minnesota into the District of Columbia, and charging misbranding in violation of the food and drugs act as amended. The article was labeled in part: (Packages) "Net Weight One Pound."

It was alleged in the libel that the article was misbranded in that the statement "One Pound Net Weight," borne on the label, was false and misleading and deceived and misled the purchaser. Misbranding was alleged for the further reason that the article was food in package form and the quantity of the contents was not plainly and conspicuously marked on the outside of the package.

On September 25, 1928, the De Soto Creamery & Produce Co., Minneapolis, Minn., claimant, having admitted the allegations of the libel and having consented to the entry of a decree, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be released to the said claimant to be reconditioned to meet the requirements of the Federal food and drugs act, upon payment of costs and the execution of a bond in the sum of \$300, conditioned in part that it should not be sold or otherwise disposed of contrary to law.

R. W. DUNLAP, *Acting Secretary of Agriculture.*

**16161. Adulteration and misbranding of vinegar. U. S. v. 177 Cases of Vinegar. Default decree of condemnation, forfeiture, and destruction. (F. & D. Nos. 23097, 23098. I. S. Nos. 02212, 02214. S. No. 1193.)**

On September 22, 1928, the United States attorney for the Middle District of Georgia, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying seizure and condemnation of 177 cases of vinegar, remaining in the original unbroken packages at Macon Ga., alleging that the article had been shipped by Knadler & Lucas (Inc.), Louisville, Ky., May 22, 1928, and transported from the State of Kentucky into the State of Georgia, and charging adulteration and misbranding in violation of the food and drugs act. The article was labeled in part: "Everybody's Colored Distilled Vinegar \* \* \* Bottled by Knadler & Lucas, Incorporated, Louisville, Ky."

It was alleged in the libel that the article was adulterated in that water had been substituted wholly or in part for the article and had been mixed and packed with it so as to reduce, lower, or injuriously affect its quality or strength.



Misbranding was alleged for the reason that the package or label bore a statement regarding the article or the ingredients or substances contained therein which was false and misleading and deceived and misled the purchaser, as follows: "Everybody's Colored Distilled Vinegar reduced to 4% Acetic Strength."

On November 21, 1928, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

R. W. DUNLAP, *Acting Secretary of Agriculture.*

**16162. Misbranding of sirup. U. S. v. 6 Cases of Sirup. Tried to the court and jury. Special verdict for the Government. Decree of condemnation and forfeiture. Product ordered sold or released under bond to be relabeled. (F. & D. No. 22709. I. S. No. 17923-x. S. No. 728.)**

On April 19, 1928, the United States attorney for the District of Wyoming, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel, and on June 13, 1928, an amended libel, praying seizure and condemnation of 6 cases, each containing a number of cans of sirup, remaining in the original unbroken packages at Evanston, Wyo., alleging that the article had been shipped from the Early Coffee Co., Denver, Colo., on or about November 15, 1927, and transported from the State of Colorado into the State of Wyoming, and charging misbranding in violation of the food and drugs act.

It was alleged in substance in the libel as amended that the article contained in the said cans was misbranded so as to deceive and mislead the purchaser in that the cans were labeled in part, "Maple Maid Syrup. Made from pure, refined maple sugar. Manufactured by The Maple Maid Syrup Company, Denver," and bore a design showing a grove or woods of maple trees with buckets hanging from spiles in the trees, and a figure of a woman in the said grove or woods carrying maple-sap buckets, which statements and designs were intended to represent to purchasers that the contents of the said cans were pure maple sirup; whereas it was not maple sirup, but sugar sirup and glucose had been mixed and packed with and substituted in part for maple sirup. Misbranding was alleged for the further reason that the article was an imitation of and was offered for sale under the distinctive name of another article, to wit, maple sirup.

On November 28, 1928, the Early Coffee Co., Denver, Colo., having intervened as claimant, and having filed an answer denying that the product was misbranded, the case came on for trial before the court and jury. After hearing the evidence, arguments by counsel, and instructions of the court, the jury retired and after due deliberation returned a special verdict that the labels on the sirup were misleading. On December 27, 1928, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be sold by the United States marshal. The decree provided, however, that the product might be released to the said claimant upon payment of costs and the execution of a bond in the sum of \$100, conditioned that it be relabeled under the supervision of this department.

R. W. DUNLAP, *Acting Secretary of Agriculture.*

**16163. Misbranding of flavoring sirups. U. S. v. 57 Kegs of Sirup, et al. Product adjudged misbranded. Released under bond. (F. & D. No. 21810. I. S. Nos. 17096-x, 17097, 17098-x. S. No. W-2135.)**

On April 11, 1927, the United States attorney for the Southern District of California, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying seizure and condemnation of 140 kegs of flavoring sirups, remaining in the original unbroken packages at Fresno, Calif., alleging that the articles had been shipped by Lyons Bros., from Eagle Fort, Texas, on or about October 29, 1926, and transported from the State of Texas into the State of California, and charging misbranding in violation of the food and drugs act as amended. The articles were labeled in part, variously: "Mexican Hot (or "Muscatel Imitation Punch" or "Peach Imitation Punch") Artificially Colored and Flavored."

It was alleged in the libel that the articles were misbranded in that they were food in package form and the quantity of the contents was not plainly and conspicuously marked on the outside of the packages.

On February 1, 1929, the products having been theretofore released to the claimant, Lyons Bros., Dallas, Tex., under bond, and having been relabeled to



comply with the requirements of the Federal food and drugs act, final decree was entered adjudging the said products misbranded and ordering the bond exonerated upon payment of all costs.

R. W. DUNLAP, *Acting Secretary of Agriculture.*

**16164. Misbranding of Allenrhu. U. S. v. 15 Dozen Bottles of Allenrhu. Default order of destruction entered. (F. & D. No. 23340. S. No. 1464.)**

On January 31, 1929, the United States attorney for the Southern District of California, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying seizure and condemnation of 15 dozen bottles of Allenrhu, remaining in the original unbroken packages at Los Angeles, Calif., consigned by the Alle-Rhume Remedy Co., Rochester, N. Y., alleging that the article had been shipped from Rochester, N. Y., in various consignments, on or about November 9 and December 31, 1927, and September 22, 1928, respectively, and transported from the State of New York into the State of California, and charging misbranding in violation of the food and drugs act as amended.

Analysis of a sample of the article by this department showed that it consisted essentially of sodium phosphate and sodium sulphate, small amounts of sodium salicylate and colchicine, free acid, glycerin, and water, flavored with licorice and methyl salicylate.

The article was labeled in part: (Bottle label) "For Rheumatic Aches and Pains When Not Due to Infection. Has Been Found Helpful in Lumbago, Sciatica, Neuralgia, and Neuritis;" (blown in bottle) "For Rheumatic Aches and Pains;" (carton, English and foreign languages) "An Advanced and Improved Preparation for the Treatment of Acute Rheumatism, Lumbago, Rheumatic Neuritis;" (circular) "When you want to get rid of Rheumatism (Not Caused by Infection) \* \* \* Allenrhu will help you correct this \* \* \*. Is your rheumatism caused by infection? \* \* \* The man or woman who has acute rheumatism is the person most concerned with getting rid of it. How to get rid of the pain, the swelling, the inflammation, the agony, and how to prevent its returning after it is apparently conquered is what the sufferer wants to know. There are a few common sense, very simple rules to follow if rheumatism is to be driven out of the system. If these rules are followed when Allenrhu is being taken, the chances of overcoming this trouble in a shorter period of time is enhanced. Allenrhu is a medicine compounded in such a manner that experience of years shows that it has a helpful influence over acute rheumatism \* \* \*. Many rheumatic sufferers are sad and depressed and it is hard to blame them for it \* \* \*. It isn't absolutely necessary to follow these rules when taking Allenrhu and very few people do follow them, but right living helps, as every doctor will tell you, and if you can shorten the duration of the attack by doing all you can to help, it is, of course, for your own good \* \* \*. As a general rule Allenrhu (liquid) will be found sufficient for all ordinary cases of acute Rheumatism."

It was alleged in the libel that the article was misbranded in that certain statements borne on the label were false and fraudulent, in that the said statements imputed to the article certain curative and therapeutic effects, whereas the article contained no ingredient or combination of ingredients capable of producing the effects claimed.

On February 19, 1929, no claimant having appeared for the property, judgment was entered finding the product misbranded and ordering that it be destroyed by the United States marshal.

R. W. DUNLAP, *Acting Secretary of Agriculture.*

**16165. Misbranding of cow tonic. U. S. v. 12 Cans, et al., of Cow Tonic. Default decrees of destruction entered. (F. & D. Nos. 23283, 23284. I. S. Nos. 07126, 07128. S. Nos. 1403, 1404.)**

On December 28, 1928, the United States attorney for the Southern District of California, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district libels praying seizure and condemnation of 30 cans of cow tonic, remaining in the original unbroken packages at Los Angeles, Calif., consigned by the Dr. David Roberts Veterinary Co., Waukesha, Wis., alleging that the article had been shipped from Waukesha, Wis., in various consignments between the dates of July 2, 1928, and November 9, 1928, and transported from the State of Wisconsin into the State of Cali-

fornia, and charging misbranding in violation of the food and drugs act as amended.

Analysis of a sample of the article by this department showed that it consisted essentially of potassium nitrate, iron sulphate, sodium chloride, magnesium sulphate, charcoal, starch, sulphur, and crude drugs, including fennel, gentian, fenugreek, licorice, and nux vomica.

The article was labeled in part: (Can label) "Cow Tonic should be given for the following ailments: Loss of Appetite, Suppression of Milk, Bloody Milk, Indigestion, Cow Pox, Caked Udder, Diarrhoea, Dropsy, Contagious Mammitis \* \* \* is excellent for fitting cattle for show purposes \* \* \*. For Loss of Appetite. \* \* \* to Increase Flow of Milk."

It was alleged in the libels that the article was misbranded in that certain statements, borne on the label, were false and fraudulent, since the said statements on the label imputed to the article certain curative and therapeutic effects, whereas the article contained no ingredient or combination of ingredients capable of producing the effects claimed.

On February 14, 1929, no claimant having appeared for the property, judgments were entered finding the product misbranded and ordering that it be destroyed by the United States marshal.

R. W. DUNLAP, *Acting Secretary of Agriculture.*

**16166. Adulteration of string figs. U. S. v. 50 Cases of String Figs. Default decree of destruction entered. (F. & D. No. 23294. I. S. No. 0687. S. No. 1421.)**

On December 31, 1928, the United States attorney for the Southern District of California, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying seizure and condemnation of 50 cases of string figs, remaining in the original packages at Los Angeles, Calif., consigned by the V. C. Arguimbau Co., New York, N. Y., alleging that the article had been shipped from New York, N. Y., on or about November 13, 1928, and transported from the State of New York into the State of California, and charging adulteration in violation of the food and drugs act. The article was labeled in part: (Case) Extra String Figs, Grown in Greece 50 Lbs. net, crop 1928;" (paper insert in cases) "Acropolis Brand Produce of Greece Selected Figs Barki Freres."

It was alleged in the libel that the article was adulterated in that it consisted in part or in whole of a filthy and putrid vegetable substance.

On February 21, 1929, no claimant having appeared for the property, judgment was entered finding the product adulterated and ordering that it be destroyed by the United States marshal.

R. W. DUNLAP, *Acting Secretary of Agriculture.*

**16167. Adulteration of chestnuts. U. S. v. 5 Barrels, et al., of Chestnuts. Default decrees of condemnation, forfeiture, and destruction. (F. & D. Nos. 23221, 23222. I. S. No. 02547. S. No. 1320.)**

On December 3, 1928, the United States attorney for the District of Massachusetts, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district libels praying seizure and condemnation of 6 barrels of chestnuts, remaining in the original unbroken packages at Boston, Mass., consigned about November 13, 1928, alleging that the article had been shipped by J. Lorelli, New York, N. Y., and transported from the State of New York into the State of Massachusetts, and charging adulteration in violation of the food and drugs act.

It was alleged in the libels that the article was adulterated in that it consisted in part of a filthy and decomposed vegetable substance.

On January 17, 1929, no claimant having appeared for the property, judgments of condemnation and forfeiture were entered, and it was ordered by the court that the product be destroyed by the United States marshal.

R. W. DUNLAP, *Acting Secretary of Agriculture.*

**16168. Adulteration of canned sardines. U. S. v. 24½ Cases of Sardines. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 22974. I. S. No. 02462. S. No. 1058.)**

On August 13, 1928, the United States attorney for the District of Massachusetts, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying seizure and condemnation of 24½ cases of sardines, remaining in the original unbroken



packages at Lynn, Mass., consigned about June 27, 1928, alleging that the article had been shipped by the Seacoast Canning Co., Eastport, Me., and transported from the State of Maine into the State of Massachusetts, and charging adulteration in violation of the food and drugs act. The article was labeled in part: "Neptune Brand Maine Sardines Packed in Salad Oil Seacoast Canning Co., Eastport, Maine."

It was alleged in the libel that the article was adulterated in that it consisted in part of a filthy, decomposed, and putrid animal substance.

On January 17, 1929, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

R. W. DUNLAP, *Acting Secretary of Agriculture.*

**16169. Adulteration of tomato puree. U. S. v. 40 Cases of Tomato Puree. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 23254. I. S. No. 03175. S. No. 1342.)**

On December 17, 1928, the United States attorney for the Eastern District of Pennsylvania, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying seizure and condemnation of 40 cases of tomato puree, remaining in the original unbroken packages at Chester, Pa., consigned by Wm. Laning & Son Co., Bridgeton, N. J., alleging that the article had been shipped from Bridgeton, N. J., on or about October 6, 1928, and transported from the State of New Jersey into the State of Pennsylvania, and charging adulteration in violation of the food and drugs act. The article was labeled in part: "Silver Lake Whole Tomato Puree \* \* \* Packed by Wm. Laning & Son Co."

It was alleged in the libel that the article was adulterated in that it consisted in part of a filthy vegetable substance.

On January 8, 1929, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

R. W. DUNLAP, *Acting Secretary of Agriculture.*

**16170. Misbranding of tuna fish. U. S. v. 100 Cases of Tuna Fish. Consent decree of condemnation and forfeiture. Product released under bond. (F. & D. No. 22815. I. S. No. 24512-x. S. No. 853.)**

On June 13, 1928, the United States attorney for the Southern District of New York, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying seizure and condemnation of 100 cases of tuna fish, remaining in the original unbroken packages at New York, N. Y., alleging that the article had been shipped by the San Diego Packing Co., from San Diego, Calif., on or about March 6, 1928, and transported from the State of California into the State of New York, and charging misbranding in violation of the food and drugs act as amended. The article was labeled in part: "Sapphire Brand, All Light Meat Tuna \* \* \* Net Weight 7 Oz. Packed by Neptune Sea Food Company, San Diego, Calif."

It was alleged in the libel that the article was misbranded in that the statement on the label "Net Weight 7 Oz." was false and misleading and deceived and misled the purchaser, and for the further reason that the article was food in package form and the quantity of the contents was not plainly and conspicuously marked on the outside of the package, since the statement "Net Weight 7 Oz." was incorrect and was neither plain nor conspicuous.

On January 8, 1929, the San Diego Packing Co., San Diego, Calif., claimant, having admitted the allegations of the libel and having consented to the entry of a decree, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be released to the said claimant upon payment of costs and the execution of a bond in the sum of \$1,200, conditioned in part that it be relabeled under the supervision of this department.

R. W. DUNLAP, *Acting Secretary of Agriculture.*

**16171. Misbranding of cottonseed cake. U. S. v. 140 Sacks of Cottonseed Cake. Consent decree of condemnation and forfeiture. Product released under bond. (F. & D. No. 23271. I. S. No. 04794. S. No. 1385.)**

On December 21, 1928, the United States attorney for the Southern District of Illinois, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying seizure and condemnation of 140 sacks of cottonseed cake at Springfield, Ill., alleging that



the article had been shipped by the Dallas Oil & Refining Co., Dallas, Tex., on or about December 13, 1928, and transported from the State of Texas into the State of Illinois, and charging misbranding in violation of the food and drugs act. The article was labeled in part: "Climax Brand Cottonseed Cake and Meal Prime Quality Guaranteed Analysis Crude Protein not less than 43% \* \* \* Made from Decorticated Cotton Seed for Southland Cotton Oil Company \* \* \* Paris, Texas."

It was alleged in the libel that the article was misbranded in that the statement borne on the label, "Protein not less than 43%," was false and misleading and deceived and misled the purchaser when applied to a product containing a less amount of protein than stated on the label.

On January 8, 1929, the Dallas Oil & Refining Co., Dallas, Tex., having appeared as claimant for the property and having consented to the entry of a decree, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be released to the said claimant upon payment of costs and the execution of a bond in the sum of \$500, conditioned in part that it be relabeled under the supervision of this department.

R. W. DUNLAP, *Acting Secretary of Agriculture.*

**16172. Adulteration of frozen poultry. U. S. v. 10 Barrels of Frozen Poultry. Consent decree of condemnation and forfeiture. Product released under bond. (F. & D. No. 23175. I. S. No. 01779. S. No. 1277.)**

On October 31, 1928, the United States attorney for the Northern District of Illinois, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying seizure and condemnation of 10 barrels of frozen poultry, remaining in the original unbroken packages at Chicago, Ill., alleging that the article had been shipped by the Fort Worth Poultry & Egg Co., from Fort Worth, Tex., October 6, 1928, and transported from the State of Texas into the State of Illinois, and charging adulteration in violation of the food and drugs act.

It was alleged in the libel that the article was adulterated in that it consisted in part of a filthy, decomposed, and putrid animal substance.

On January 3, 1929, the Sangamon Commission House, claimant, having admitted the material allegations of the libel and having consented to the entry of a decree, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be released to the said claimant upon payment of costs and the execution of a bond in the sum of \$1,000, conditioned in part that it be examined under the supervision of this department and the portion unfit for food destroyed and the portion fit for food released.

R. W. DUNLAP, *Acting Secretary of Agriculture.*

**16173. Adulteration of chestnuts. U. S. v. 5 Cases of Chestnuts. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 23302. I. S. No. 01734. S. No. 1430.)**

On January 2, 1929, the United States attorney for the Southern District of Ohio, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying seizure and condemnation of 5 cases of chestnuts, remaining in the original unbroken packages at Cincinnati, Ohio, consigned by Sgobel & Day, Lexington, Ky., alleging that the article had been shipped from Lexington, Ky., December 20, 1928, and transported from the State of Kentucky into the State of Ohio, and charging adulteration in violation of the food and drugs act.

It was alleged in the libel that the article was adulterated in that it consisted in part of a filthy, decomposed, and putrid vegetable substance.

On January 17, 1929, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

R. W. DUNLAP, *Acting Secretary of Agriculture.*

**16174. Adulteration and misbranding of pink root. U. S. v. R. Hillier's Son Co. (Inc.). Plea of guilty. Fine, \$100. (F. & D. No. 22560. I. S. No. 13315-x.)**

On October 15, 1928, the United States attorney for the District of New Jersey, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against the R. Hillier's Son Co. (Inc.), Jersey City, N. J., alleging shipment by said company, in violation of the food and drugs act, on or about February 2, 1927, from the

State of New Jersey into the State of Maryland, of a quantity of pink root which was adulterated and misbranded. The article was labeled in part: "Ground No. 20 True Pink Root."

It was alleged in the information that the article was adulterated in that its strength and purity fell below the professed standard and quality under which it was sold in that it was represented to be true pink root, whereas it was a product composed, in large part, of soil.

Misbranding was alleged for the reason that the statement, to wit, "True Pink Root," borne on the label, was false and misleading in that it represented that the said article consisted wholly of pink root, whereas it did not so consist but did consist, in large part, of soil.

On December 17, 1928, a plea of guilty to the information was entered on behalf of the defendant company, and the court imposed a fine of \$100.

R. W. DUNLAP, *Acting Secretary of Agriculture.*

**16175. Misbranding of tomato catsup. U. S. v. 303 Cases, et al., of Tomato Catsup. Consent decree of condemnation and forfeiture. Product released under bond. (F. & D. No. 22905. I. S. Nos. 01203 to 01208, incl. S. No. 973.)**

On July 24, 1928, the United States attorney for the District of Minnesota, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying seizure and condemnation of 303 cases, containing 8-ounce bottles, and 626 cases, containing 14½-ounce bottles of tomato catsup, remaining in the original unbroken packages at Minneapolis, Minn., alleging that the article had been shipped by the Frazier Packing Co., from Elwood, Ind., in part April 11, 1928, and in part May 24, 1928, and transported from the State of Indiana into the State of Minnesota, and charging misbranding in violation of the food and drugs act. The article was labeled in part: "Purity Brand (or "Royal Red") High Grade Tomato Catsup \* \* \* The Frazier Packing Company, Elwood, Indiana."

It was alleged in the libel that the article was misbranded in that an analysis thereof showed the presence of cochineal coloring, and the designations "Tomato Catsup" and "Tomato Catsup, Natural Color" were false and misleading and deceived and misled the purchaser when applied to a product containing added artificial color.

On September 8, 1928, the Frazier Packing Co., Elwood, Ind., having appeared as claimant for the property and having consented to the forfeiture and condemnation of the product, a decree was entered ordering that the said product be released to the claimant upon payment of costs and the execution of a bond in the sum of \$1,000, conditioned in part that it be properly labeled as to its artificial coloring under the supervision of this department.

R. W. DUNLAP, *Acting Secretary of Agriculture.*

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# United States Department of Agriculture

## FOOD, DRUG, AND INSECTICIDE ADMINISTRATION

### NOTICES OF JUDGMENT UNDER THE FOOD AND DRUGS ACT

[Given pursuant to section 4 of the food and drugs act]

16176-16200

[Approved by the Acting Secretary of Agriculture, Washington, D. C., July 26, 1929]

**16176. Adulteration and misbranding of olive oil. U. S. v. P. Cicchetti & Co. (Inc.). Plea of guilty. Fine, \$400. (F. & D. No. 22595. I. S. Nos. 21207-x, 21208-x, 21209-x.)**

At the December, 1928, term of the United States District Court within and for the Southern District of New York, the United States attorney for said district, acting upon a report by the Secretary of Agriculture, filed in the district court aforesaid an information against P. Cicchetti & Co. (Inc.), New York, N. Y., alleging shipment by said company, in violation of the food and drugs act as amended, on or about February 9, 1927, from the State of New York into the State of Pennsylvania, of quantities of olive oil which was adulterated and misbranded. The article was labeled in part: "Pure Olive Oil Virgin Duomo B B Brand Di Lucca Italy Net Contents One Gallon (or "Half Gallon" or "One Quart") I Guarantee This Olive Oil To Be Absolutely Pure Under Chemical Analysis And Of Finest Quality."

It was alleged in the information that the article was adulterated in that a substance, to wit, cottonseed oil manufactured and produced in the United States and containing but a slight trace, that is, a faint odor and flavor of olive oil, had been substituted for imported pure virgin olive oil, which the said article purported to be.

Misbranding was alleged for the reason that the statements, to wit, "Pure Olive Oil Virgin \* \* \* Di Lucca Italy \* \* \* I Guarantee this Olive Oil to Be Absolutely Pure Under Chemical Analysis and of Finest Quality." together with equivalent statements in Italian, and a pictorial representation of foreign scene and olive sprays bearing olives, borne on the cans containing the said article, and the statements, to wit, "Net Contents One Gallon," "Net Contents Half Gallon," and "Net Contents One Quart," borne on the respective sized cans, were false and misleading in that the said statements and representations represented that the article was imported pure virgin olive oil manufactured and produced in Italy, that it carried a foreign guaranty to be absolutely pure olive oil under chemical analysis and of finest quality and that the net contents of the article contained in the said cans was 1 gallon net, one-half gallon net, or 1 quart net, as the case might be; and for the further reason that the article was labeled as aforesaid so as to deceive and mislead the purchaser into the belief that it was imported pure virgin olive oil manufactured and produced in Italy, that it carried a foreign guaranty to be absolutely pure olive oil under chemical analysis and of finest quality and that the net contents of the article contained in said cans were 1 gallon net, one-half gallon net, or 1 quart net, as the case might be, whereas the article was not imported pure virgin olive oil, was not manufactured and produced in Italy or other foreign country, was not absolutely pure olive oil, was not of finest quality, and did not carry a foreign guaranty to that effect, but said article was cottonseed oil manufactured and

produced in the United States and contained but a slight trace of olive oil, and the net contents of the article contained in said cans were less than declared on the label. Misbranding was alleged for the further reason that the article was offered for sale under the distinctive name of another article, to wit, pure virgin olive oil. Misbranding was alleged for the reason that the article was food in package form and the quantity of the contents was not plainly and conspicuously marked on the outside of the package in that the actual contents of the said cans were less than the stated quantity.

On January 14, 1929, a plea of guilty to the information was entered on behalf of the defendant company, and the court imposed a fine of \$400.

R. W. DUNLAP, *Acting Secretary of Agriculture.*

**16177. Adulteration and misbranding of alfalfa meal. U. S. v. 1000 Sacks, et al., of Alfalfa Meal. Consent decrees of condemnation and forfeiture. Product released under bond. (F. & D. Nos. 23185, 23198. I. S. Nos. 0159, 03568, 03569. S. Nos. 1286, 1299.)**

On November 9, 1928, and November 19, 1928, respectively, the United States attorney for the Eastern District of New York, acting upon reports by the Secretary of Agriculture, filed in the District Court of the United States for said district libels praying seizure and condemnation of two lots, consisting of 140 sacks and 1,000 sacks, respectively, of alfalfa meal, remaining unsold in the original packages at Brooklyn, N. Y., alleging that the article had been shipped by the California Hawaiian Milling Co., from San Francisco, Calif., on or about October 15, 1928, and transported from the State of California into the State of New York, and charging adulteration and misbranding in violation of the food and drugs act. The article was labeled in part: "Fine Ground Alfalfa Meal \* \* \* Crude Protein, not less than 16.00 \* \* \* Crude Fibre, not more than 28.00 \* \* \* Manufactured by California Hawaiian Milling Co. \* \* \* San Francisco, Cal."

It was alleged in the libels that the article was adulterated in that a substance deficient in protein and containing an excessive amount of fiber had been substituted in part for the said article, and had been mixed and packed with it so as to reduce and lower its quality and strength.

Misbranding was alleged for the reason that the statements, "Fine Ground Alfalfa Meal Crude Protein, not less than 16.00," with respect to a portion of the product, and "Fine Ground Alfalfa Meal Crude Protein, not less than 16.00, Crude Fibre, not more than 28.00," with respect to the remainder thereof, borne on the labels, were false and misleading and deceived and misled the purchaser when applied, with respect to the former portion, to a product containing less protein than declared, and, with respect to the latter portion, to a product which was essentially alfalfa stem, and which contained less protein and more fiber than declared. Misbranding was alleged with respect to a portion of the product for the further reason that it was offered for sale under the distinctive name of another article.

On December 12, 1928, the California Hawaiian Milling Co. (Inc.), San Francisco, Calif., claimant, having admitted the allegations of the libels and having consented to the entry of decrees, judgments of condemnation and forfeiture were entered, and it was ordered by the court that the product be released to the said claimant upon payment of costs and the execution of bonds totaling \$4,000, conditioned in part that it be relabeled.

R. W. DUNLAP, *Acting Secretary of Agriculture.*

**16178. Adulteration and misbranding of chocolate candies. U. S. v. 15 Boxes of Chocolate Candy Cigars, et al. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 23280. I. S. Nos. 05714, 05715. S. No. 1376.)**

On December 28, 1928, the United States attorney for the District of Massachusetts, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying seizure and condemnation of 15 boxes of chocolate candy cigars and 26 boxes of 16 to 1 penny bars, remaining in the original and unbroken packages at Cambridge, Mass., consigned about November 17, 1928, alleging that the articles had been shipped by the Sterling Chocolate Co. (Inc.), New York, N. Y., and transported from the State of New York into the State of Massachusetts, and charging adulteration and misbranding in violation of the food and drugs act. The articles were labeled in part, respectively: "Chocolate Candy Cigars Manufactured by Sterling Choc. Co., Inc. Brooklyn, New York," and "16 to 1 Penny Bars 120 Pieces Manufactured by Sterling Chocolate Co., Inc. Brooklyn, N. Y."



It was alleged in the libel that the articles were adulterated in that a substance, a foreign fat, had been mixed and packed therewith so as to reduce and lower their quality and strength and had been substituted in part for the said articles, and for the further reason that they had been mixed in a manner whereby inferiority was concealed.

Misbranding was alleged for the reason that the articles were imitations of other articles. Misbranding was alleged with respect to the said "Chocolate Candy Cigars" for the further reason that the statement "Chocolate Candy," borne on the label, was false and misleading and deceived and misled the purchaser when applied to a product containing a foreign fat, and for the further reason that the article was offered for sale under the distinctive name of another article.

On January 17, 1929, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

R. W. DUNLAP, *Acting Secretary of Agriculture.*

**16179. Misbranding of tomato catsup. U. S. v. 441 Cases of Tomato Catsup. Decree of condemnation and forfeiture entered. Product released under bond. (F. & D. No. 23256. I. S. No. 012508. S. No. 1371.)**

On December 18, 1928, the United States attorney for the Middle District of Alabama, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying seizure and condemnation of 441 cases of tomato catsup, remaining in the original unbroken packages at Montgomery, Ala., alleging that the article had been shipped by Kemp Brothers Packing Co., from Frankfort, Ind., October 24, 1928, and transported from the State of Indiana into the State of Alabama, and charging misbranding in violation of the food and drugs act.

It was alleged in the libel that the article was misbranded in that the statements, borne on the label, "Sunday Dinner Tomato Catsup Contents 14½ Oz., \* \* \* Not Artificially Colored, Distributed by Schloss & Kahn Grocery Co., Montgomerly, Alabama," were false and misleading and deceived and misled the purchaser, in that an artificially colored catsup had been substituted in part for the article and had been mixed and packed therewith so as to reduce and lower its quality. Misbranding was alleged for the further reason that the statement "Not Artificially Colored" was false and misleading and deceived and misled the purchaser when applied to artificially colored tomato catsup.

On January 3, 1929, the Kemp Brothers Packing Co., Frankfort, Ind., having appeared as claimant for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be released to the said claimant upon payment of costs and the execution of a bond in the sum of \$1,500, conditioned in part that it be properly labeled by adding the words "Artificially Colored" after the words "Tomato Catsup" and the words "Not Artificially Colored," removed.

R. W. DUNLAP, *Acting Secretary of Agriculture.*

**16180. Adulteration of pecan halves. U. S. v. 3 Barrels of Pecan Halves. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 23248. I. S. No. 03615. S. No. 1358.)**

On December 18, 1928, the United States attorney for the Southern District of New York, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying seizure and condemnation of 3 barrels of pecan halves, remaining unsold in the original unbroken packages at New York, N. Y., alleging that the article had been shipped by the Texas Pecan Shelling Co., from San Antonio, Texas, on or before December 10, 1928, and transported from the State of Texas into the State of New York, and charging adulteration in violation of the food and drugs act. The article was labeled in part: "From Texas Pecan Shelling Co., San Antonio, Texas."

It was alleged in the libel that the article was adulterated in that it consisted in whole or in part of rancid, decomposed, wormy, and moldy nuts.

On January 3, 1929, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

R. W. DUNLAP, *Acting Secretary of Agriculture.*

**16181. Adulteration and misbranding of olive oil. U. S. v. United Importers (Inc.). Plea of guilty. Fine, \$9. (F. & D. No. 22588. I. S. No. 21035-x, 21715-x, 21716-x.)**

On November 28, 1928, the United States attorney for the District of Rhode Island, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against the United Importers (Inc.), a corporation, Providence, R. I., alleging shipment by said company, in violation of the food and drugs act as amended, in part on or about November 21, 1927, and in part on or about February 24, 1928, from the State of Rhode Island into the State of Massachusetts, of quantities of olive oil which was adulterated and misbranded. A portion of the article was labeled in part: "L & T Theodora Brand Virgin Pure Olive Oil Lucca Italy." The remainder of the said article was labeled in part: "Pure Olive Oil Extra Fine Quality Italian Product Reale Brand Lucca Italy \* \* \*. This Virgin Oil is Highly Recommended for Medicinal And Table Use \* \* \* Contents one Quart (or "Contents ½ Gallon")."

It was alleged in the information that the article was adulterated, considered as a food, in that a substance, to wit, cottonseed oil, had been mixed and packed therewith so as to lower and reduce and injuriously affect its quality and strength, and had been substituted in large part for olive oil, which the said article purported to be. Adulteration of the "Reale Brand" olive oil, considered as a drug, was alleged for the further reason that it was sold under and by a name recognized in the United States Pharmacopoeia and differed from the standard of strength, quality, and purity as determined by the tests laid down in said pharmacopoeia official at the time of the investigation of the article in that it was composed in part of cottonseed oil, whereas said pharmacopoeia provided that olive oil should consist wholly of the ripe fruit of *Olea europaea*; and the standard of strength, quality, and purity of the article was not declared on the container thereof.

Misbranding was alleged for the reason that the statement "Olive Oil Lucca Italy," with respect to the "Theodora Brand" olive oil, and the statements, "Olive Oil," "Lucca Italy," "Italian product," with respect to the "Reale Brand" olive oil, and the statement "Contents One Quart," with respect to a portion of the said "Reale Brand" oil, borne on the labels were false and misleading in that they represented that the article was olive oil, that it was a foreign product produced in Lucca, Italy, and that the cans containing the said portion of the "Reale Brand" oil contained 1 quart thereof, and for the further reason that the article was labeled as aforesaid so as to deceive and mislead the purchaser into the belief that it was olive oil, that it was a foreign product produced in Lucca, Italy, and that the cans containing the said portion of the "Reale Brand" oil contained 1 quart thereof, whereas the said article was not olive oil but was a product composed in large part of cottonseed oil, it was not a foreign product but was a domestic product, to wit, an article composed in large part of cottonseed oil produced in the United States of America, and the cans containing the said portion of the "Reale Brand" oil did not contain 1 quart of the article, but did contain a less amount. Misbranding was alleged for the further reason that the article was a product composed in large part of cottonseed oil prepared in imitation of olive oil and offered for sale and sold under the distinctive name of another article, to wit, olive oil, for the further reason that it was falsely labeled as to the country in which it was manufactured and produced in that it was labeled as an olive oil manufactured and produced in Lucca, Italy, whereas it was a product composed in large part of cottonseed oil manufactured and produced in the United States of America, and for the further reason that the article purported to be a foreign product when not so. Misbranding was alleged with respect to the said portion of the "Reale Brand" oil for the further reason that it was food in package form and the quantity of the contents was not plainly and conspicuously marked on the outside of the package.

On December 18, 1928, a plea of guilty to the information was entered on behalf of the defendant company, and the court imposed a fine of \$9.

R. W. DUNLAP, *Acting Secretary of Agriculture.*

**16182. Adulteration of pistachio nuts. U. S. v. 9 Bags of Pistachio Nuts. Consent decree of condemnation and forfeiture. Product released under bond. (F. & D. No. 23210. I. S. No. 03614. S. No. 1308.)**

On November 27, 1928, the United States attorney for the Southern District of New York, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying seizure and



condemnation of 9 bags of pistachio nuts, remaining in the original unbroken packages at New York, N. Y., alleging that the article had been shipped from Germany into the State of New York, having been entered July 25, 1928, and charging adulteration in violation of the food and drugs act.

It was alleged in the libel that the article was adulterated in violation of paragraph 2 of section 7 of said act in that it consisted of pistachio nuts that were wormy, shriveled, and empty. Adulteration was alleged for the further reason that the article consisted in part of a filthy and decomposed vegetable substance.

On January 5, 1929, the Aurora Trading Corporation, New York, N. Y., claimant, having admitted the allegations of the libel and having consented to the entry of a decree, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be released to the said claimant upon payment of costs and the execution of a bond in the sum of \$800, conditioned in part that the good nuts be separated from the bad nuts and the latter destroyed or denatured.

R. W. DUNLAP, *Acting Secretary of Agriculture.*

**16183. Adulteration and misbranding of tomato puree. U. S. v. 48 Cases of Tomato Puree. Default decree of condemnation, forfeiture, and destruction.** (F. & D. No. 23255. I. S. No. 03252. S. No. 1346.)

On December 19, 1928, the United States attorney for the Eastern District of Pennsylvania, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying seizure and condemnation of 48 cases of tomato puree, remaining in the original unbroken packages at Philadelphia, Pa., consigned by William Laning & Son Co., alleging that the article had been shipped from Bridgeton, N. J., on or about October 9, 1928, and transported from the State of New Jersey into the State of Pennsylvania, and charging adulteration and misbranding in violation of the food and drugs act. The article was labeled in part: "Silver Lake Whole Tomato Puree \* \* \* Packed by Wm. Laning & Son Co., Bridgeton, N. J."

It was alleged in the libel that the article was adulterated in that it consisted in whole or in part of a filthy vegetable substance.

Misbranding was alleged for the reason that the statement "Whole Tomato Puree," borne on the label, was false and misleading, since the article was made from skins and cores and not from whole tomatoes.

On January 8, 1929, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

R. W. DUNLAP, *Acting Secretary of Agriculture.*

**16184. Adulteration and misbranding of olive oil. U. S. v. Frank E. Taormina, Rosario Taormina, and Joseph Taormina (Taormina Brothers). Pleas of guilty. Fines, \$300 and costs.** (F. & D. No. 22586. I. S. Nos. 23398-x, 23399-x, 23400-x, 23401-x, 23402-x, 23405-x, 23407-x, 23408-x, 23413-x, 23414-x, 23415-x, 23416-x, 23417-x.)

On January 9, 1929, the United States attorney for the Eastern District of Louisiana, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against Frank E. Taormina, Rosario Taormina, and Joseph Taormina, copartners, trading as Taormina Brothers, New Orleans, La., alleging shipment by said defendants, in violation of the food and drugs act as amended, in various consignments, on or about January 12, January 14, January 16, and February 6, 1928, respectively, from the State of Louisiana into the State of Texas, of quantities of olive oil which was adulterated and misbranded. A portion of the article was shipped in cans labeled in part: "Pure Olive Oil 'La Giardiniera Italiana' Packed in Italy Expressly For Taormina Bros. By Eustachio Taormina & Figli Sicily-Partanna-Italy \* \* \* This Olive Oil is guaranteed to be absolutely pure under chemical analysis and highly recommended by physicians for medicinal and table use Olio Puro D'Oliiva \* \* \* Impaccato In Italia \* \* \* Sicilia-Partanna-Italia." The remainder of the said article was shipped in unlabeled cans and was invoiced as olive oil.

It was alleged in the information that the article, considered as a food, was adulterated in that a substance, to wit, cottonseed oil, had been mixed and packed therewith so as to lower and reduce and injuriously affect its quality and strength and had been substituted in part for olive oil which the said article purported to be. Adulteration was alleged with respect to the portion of the article shipped in labeled cans, considered as a drug, in that it was



sold under and by a name recognized in the United States Pharmacopoeia and differed from the standard of strength, quality, and purity as determined by the tests laid down in said pharmacopoeia official at the time of investigation of the article, in that it was a product largely composed of cottonseed oil, whereas said pharmacopoeia provided that olive oil should consist wholly of oil obtained from the ripe fruit of *Olea europaea*; and the standard of the strength, quality, and purity of the article was not declared on the container thereof.

Misbranding was alleged with respect to the portion of the product shipped in labeled cans for the reason that the statements, to wit, "Olive Oil," "Absolutely Pure," "Impaccato in Italia," and "Sicilia," borne on the labels of the said cans, were false and misleading in that the said statements represented that the article was olive oil and was a foreign product, to wit, an olive oil produced in Sicily, Italy, and for the further reason that it was labeled as aforesaid so as to deceive and mislead the purchaser into the belief that it was olive oil and was a foreign product, to wit, an olive oil produced in Sicily, Italy, whereas it was not olive oil but was a mixture composed in large part of cottonseed oil, and was not a foreign product, but was a domestic product, to wit, an article composed in large part of cottonseed oil produced in the United States of America. Misbranding of the said portion of the article shipped in labeled cans was alleged for the further reason that it was prepared in imitation of and was offered for sale and sold under the distinctive name of another article, to wit, olive oil, for the further reason that it purported to be a foreign product when not so, and for the further reason that it was falsely labeled as to the place where it was manufactured and produced. Misbranding was alleged with respect to the portion of the product shipped in unlabeled cans and invoiced as olive oil for the reason that it was an article composed in large part of cottonseed oil, prepared in imitation of olive oil, and offered for sale and sold under the distinctive name of another article, to wit, olive oil, and for the further reason that it was food in package form and the quantity of the contents was not plainly and conspicuously marked on the outside of the package.

On January 14, 1929, the defendants entered pleas of guilty to the information, and the court imposed fines aggregating \$300, together with costs.

R. W. DUNLAP, *Acting Secretary of Agriculture.*

**16185. Adulteration and misbranding of tablets *Bacillus bulgaricus*. U. S. v. 13 Boxes of Tablets *Bacillus Bulgaricus*. Default decree of condemnation and destruction. (F. & D. No. 23189. I. S. No. 04101. S. No. 1289.)**

On or about November 9, 1928, the United States attorney for the District of Columbia, acting upon a report by the Secretary of Agriculture, filed in the Supreme Court of the district aforesaid, holding a District Court, a libel praying seizure and condemnation of 13 boxes of tablets *Bacillus bulgaricus*, remaining in the original unbroken packages at Washington, D. C., alleging that the article had been shipped by Fairchild Bros. & Foster, from New York, N. Y., on or about October 5, 1928, and transported from the State of New York into the District of Columbia, and charging adulteration and misbranding in violation of the food and drugs act.

Adulteration of the article was alleged in the libel for the reason that its strength fell below the professed standard under which it was sold in that it was sold under the following standard: "Tablet of the *Bacillus Bulgaricus* Contains the true bacillus *Bulgaricus* \* \* \* preserved in a stable, potent form," which standard represented that each tablet of the article contained organisms in sufficient number to be efficacious in the treatment of disease, whereas it failed to contain organisms in sufficient number per tablet to be efficacious in the treatment of diseases.

Misbranding was alleged for the reason that the following statements, (carton) "Tablet of the *Bacillus Bulgaricus* contains the true bacillus *Bulgaricus* \* \* \* preserved in a stable, potent form," (circular) "Tablet of the *Bacillus Bulgaricus* contains the true bacillus *Bulgaricus* \* \* \* conserved in a stable form \* \* \*. It is rigidly standardized, potency guaranteed for the time stamped upon the label," borne on and within the packages containing the said article, were false and misleading.

On February 4, 1929, no claimant having appeared for the property, judgment of condemnation was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

R. W. DUNLAP, *Acting Secretary of Agriculture.*

**16186. Misbranding of butter. U. S. v. 20 Cases of Butter. Decree of condemnation and forfeiture. Product released under bond. (F. & D. No. 23134. I. S. No. 0833. S. No. 1172.)**

On or about August 31, 1928, the United States attorney for the Eastern District of Louisiana, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying seizure and condemnation of 20 cases of butter, remaining in the original unbroken packages at New Orleans, La., alleging that the article had been shipped by the Clover Farm Dairy Co., Memphis, Tenn., on or about August 24, 1928, and transported from the State of Tennessee into the State of Louisiana, and charging misbranding in violation of the food and drugs act as amended. The article was labeled in part: (Carton) "Always Fresh and Sweet Dixie Clover Creamery Butter One Pound When Packed Quarters;" (cases) "Creamery Butter From Clover Farm Dairy Company, Memphis, Tenn."

It was alleged in the libel that the article was misbranded in that the statement "One Pound When Packed" was false and misleading and deceived and misled the purchaser, and in that the article was food in package form and the quantity of the contents was not plainly and conspicuously marked on the outside of the package, in that the quantity stated on the package was not correct.

On October 9, 1928, the Clover Farm Dairy Co., Memphis, Tenn., having appeared as claimant for the property and having admitted the allegations of the libel, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be released to the said claimant upon payment of costs and the execution of a bond in the sum of \$250, conditioned in part that it be reconditioned and reworked to comply with the requirements of the Federal food and drugs act.

R. W. DUNLAP, *Acting Secretary of Agriculture.*

**16187. Adulteration and misbranding of preserves. U. S. v. 7 Cases of Preserves. Consent decree of condemnation and forfeiture. Product released under bond. (F. & D. No. 23148. I. S. Nos. 02987, 02988. S. No. 1236.)**

On October 17, 1928, the United States attorney for the District of Connecticut, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying seizure and condemnation of 7 cases of preserves, remaining in the original unbroken packages at Hartford, Conn., alleging that the article had been shipped by the Brook-Maid Food Co., Brooklyn, N. Y., on or about September 12, 1928, and transported from the State of New York into the State of Connecticut, and charging adulteration and misbranding in violation of the food and drugs act. The article was labeled in part: "Brook-Maid Brand Pure Preserves Strawberry (or "Raspberry") Contents 2 lbs. Brook-Maid Food Co. Brooklyn, N. Y."

It was alleged in the libel that the article was adulterated in that added pectin had been substituted in part for the said article and had been mixed and packed with it so as to reduce, lower, and injuriously affect its quality and strength.

Misbranding was alleged for the reason that the designations "Pure Preserves Strawberry" and "Pure Preserves Raspberry," as the case might be, borne on the labels, were false and misleading and deceived and misled the purchaser when applied to a product containing added pectin. Misbranding was alleged for the further reason that the article was offered for sale under the distinctive name of another article.

On January 21, 1929, the Brook-Maid Food Co., Brooklyn, N. Y., claimant, having admitted the allegations of the libel and having consented to the entry of a decree, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be released to the said claimant upon payment of costs and the execution of a bond in the sum of \$75, conditioned in part that it be relabeled, under the supervision of this department, by attaching a sticker bearing the words "With Added Pectin" to each jar of preserves immediately below the main label.

R. W. DUNLAP, *Acting Secretary of Agriculture.*



**16188. Misbranding of crab meat. U. S. v. Nelson R. Coulbourn. Plea of guilty. Fine, \$50.** (F. & D. No. 22546. I. S. Nos. 14819-x, 20882-x.)

On July 14, 1928, the United States attorney for the District of Maryland, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against Nelson R. Coulbourn, Crisfield, Md., alleging shipment by said defendant, in violation of the food and drugs act as amended, on or about August 3, 1927, from the State of Maryland into the State of New Jersey, of quantities of crab meat which was misbranded.

It was alleged in the information that the article was misbranded in that the statement, to wit, "Net Contents 1 Lb.," borne on the cans containing the said article, was false and misleading in that the said statement represented that each can contained 1 pound net of the article, and for the further reason that it was labeled as aforesaid so as to deceive and mislead the purchaser into the belief that each of said cans contained 1 pound net of the article, whereas each of said cans did not contain 1 pound net of the said article but did contain a less amount. Misbranding was alleged for the further reason that the article was food in package form and the quantity of the contents was not plainly and conspicuously marked on the outside of the package.

On January 28, 1929, the defendant entered a plea of guilty to the information, and the court imposed a fine of \$50.

R. W. DUNLAP, *Acting Secretary of Agriculture.*

**16189. Adulteration and misbranding of Optolactin tablets. U. S. v. 9 Bottles of Optolactin Tablets. Default decree of condemnation, forfeiture, and destruction.** (F. & D. No. 23332. I. S. No. 05747. S. No. 1457.)

On January 15, 1929, the United States attorney for the District of Massachusetts, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying seizure and condemnation of 9 bottles of Optolactin tablets, remaining in the original unbroken packages at Boston, Mass., alleging that the article had been shipped by Fairchild Bros. & Foster, New York, N. Y., on or about December 19, 1928, and transported from the State of New York into the State of Massachusetts, and charging adulteration and misbranding in violation of the food and drugs act as amended.

It was alleged in substance in the libel that the article was adulterated in that its strength fell below the professed standard under which it was sold.

Misbranding was alleged for the reason that the following statements, (carton and bottle label) "A preparation of the *Bacillus Bulgaricus*, Type A \* \* \* and of a selected established strain of the *Bacillus Acidophilus* \* \* \* Optolactin will retain its activity up to the date specified, Feb. 20, 1929," (circular) "Optolactin is composed of mixed cultures of the *Bacillus Bulgaricus*, type A, and of *Bacillus Acidophilus* \* \* \*. This product, Optolactin, will enable those who attach a special importance to the *Bacillus Acidophilus* to try it in combination with bacilli already well known \* \* \*. Optolactin has all the qualities of the *Bacillus bulgaricus* \* \* \* with such new and important properties as may be derived from the inclusion of the *Bacillus Acidophilus*. This Optolactin presents the mixed cultures of these lactic organisms in an effective form, viable to the period dated. The five-grain tablet of Optolactin has a content of the Bulgarian bacilli, type A \* \* \*, with the associated *Bacillus Acidophilus*," were false and misleading in that the article fell below the professed standard of strength set forth in said statements.

Misbranding was alleged for the further reason that the following statements regarding the curative and therapeutic effects of the article appearing in the circular, "In chronic cases its systematic ingestion is desirable, in acute cases until the desired result is obtained," were false and fraudulent, in that the article contained no ingredient or combination of ingredients capable of producing the effects claimed, and in that the said statements were applied to the article knowingly and in reckless and wanton disregard of their truth or falsity, so as to represent falsely and fraudulently to the purchasers thereof and create in the minds of such purchasers the impression and belief that the article was in whole or in part composed of or contained ingredients or medical agents effective in the treatment of disease or for the prevention thereof.



On February 11, 1929, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

R. W. DUNLAP, *Acting Secretary of Agriculture.*

**16190. Adulteration and misbranding of cottonseed meal. U. S. v. 400 Sacks of Alleged Cottonseed Meal. Decree of condemnation and forfeiture. Product released under bond. (F. & D. No. 23324. I. S. No. 01797. S. No. 1443.)**

On January 9, 1929, the United States attorney for the District of Maryland, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying seizure and condemnation of 400 sacks of alleged cottonseed meal, remaining in the original unbroken packages at Barnesville, Md., alleging that the article had been shipped by the Ashcraft-Wilkinson Co., from Hollandale, Miss., on or about December 20, 1928, and transported from the State of Mississippi into the State of Maryland, and charging adulteration and misbranding in violation of the food and drugs act. The article was labeled in part: "Paramount Brand Prime Cotton Seed Meal Ashcraft-Wilkinson Co., Atlanta, Georgia. Guaranteed Analysis Protein (minimum) 36.00%."

It was alleged in the libel that the article was adulterated in that cottonseed feed, a product which contained less than 36 per cent of protein, had been substituted wholly for the said article and had been mixed and packed with it so as to reduce and lower its quality and strength.

Misbranding was alleged for the reason that the statement on the label "Cotton Seed Meal Guaranteed Analysis Protein (minimum) 36.00%" was false and misleading and deceived and misled the purchaser when applied to a cottonseed feed product which contained less than 36 per cent of protein.

On February 4, 1929, the Ashcraft-Wilkinson Co., Atlanta, Ga., having appeared as claimant for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be released to the said claimant upon payment of costs and the execution of a bond in the sum of \$2,000, conditioned in part that it should not be sold or disposed of until relabeled as cottonseed feed and to show its true protein content.

R. W. DUNLAP, *Acting Secretary of Agriculture.*

**16191. Adulteration of canned cherries. U. S. v. 700 Cases, et al., of Cherries. Consent decree of condemnation and forfeiture. Product released under bond. (F. & D. Nos. 22888, 22889. I. S. No. 01901. S. No. 954.)**

On July 16, 1928, the United States attorney for the Northern District of Illinois, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district libels praying seizure and condemnation of 727 cases of canned cherries, remaining in the original unbroken packages at Chicago, Ill., alleging that the article had been shipped by F. B. Huxley & Son, from Ontario, N. Y., July 20, 1927, and transported from the State of New York into the State of Illinois, and charging adulteration in violation of the food and drugs act. The article was labeled in part: "Huxson Brand Pitted Red Sour Cherries \* \* \* Packed by F. B. Huxley & Son, Ontario, N. Y."

It was alleged in the libel that the article was adulterated in that it consisted in part of a filthy, decomposed, and putrid vegetable substance.

On February 5, 1929, F. B. Huxley & Son, Ontario, N. Y., claimants, having admitted the allegations of the libels and having consented to the entry of a decree, the libels were consolidated into one cause of action. Judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be released to the said claimant upon payment of costs and the execution of a bond in the sum of \$1,000, conditioned in part that it be reconditioned under the supervision of this department, so as to remove the unfit portion.

R. W. DUNLAP, *Acting Secretary of Agriculture.*

**16192. Adulteration of frozen poultry. U. S. v. 26 Barrels of Frozen Poultry. Consent decree of condemnation and forfeiture. Product released under bond. (F. & D. No. 23086. I. S. No. 01949. S. No. 1177.)**

On September 18, 1928, the United States attorney for the Northern District of Illinois, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying seizure and

condemnation of 26 barrels of frozen poultry, remaining in the original unbroken packages at Chicago, Ill., alleging that the article had been shipped by the Independence Produce Co., from Independence, Iowa, September 7, 1928, and transported from the State of Iowa into the State of Illinois, and charging adulteration in violation of the food and drugs act.

It was alleged in the libel that the article was adulterated in that it consisted in part of a filthy and decomposed substance, in that it was the product of a diseased animal, and in that it consisted in part of a portion of an animal unfit for food.

On February 20, 1929, Jos. E. Goldberg, Chicago, Ill., claimant, having admitted the allegations of the libel and having consented to the entry of a decree, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be released to the said claimant upon payment of costs and the execution of a good and sufficient bond, conditioned in part that it be examined under the supervision of this department and the portion unfit for food destroyed and the portion fit for food released.

R. W. DUNLAP, *Acting Secretary of Agriculture.*

**16193. Adulteration of figs. U. S. v. 1188 Boxes of Figs. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 23203. I. S. No. 03570. S. No. 1300.)**

On November 20, 1928, the United States attorney for the Southern District of New York, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying seizure and condemnation of 1,188 boxes of figs, remaining unsold in the original unbroken packages at New York, N. Y., consigned by Jos. Crisafulli, Visalia, Calif., alleging that the article had been shipped from Visalia, Calif., on or about October 31, 1928, and transported from the State of California into the State of New York, and charging adulteration in violation of the food and drugs act.

It was alleged in the libel that the article was adulterated in that it consisted in whole or in part of wormy, moldy, sour, and bird-pecked figs.

On January 30, 1929, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

R. W. DUNLAP, *Acting Secretary of Agriculture.*

**16194. Adulteration of figs. U. S. v. 1373 Boxes of Figs. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 23190. I. S. No. 03566. S. No. 1290.)**

On November 15, 1928, the United States attorney for the Southern District of New York, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying seizure and condemnation of 1,373 boxes of figs at New York, N. Y., consigned in interstate commerce by G. Crisafulli, Visalia, Calif., about October 24, 1928, alleging that the article was adulterated in violation of the food and drugs act.

It was alleged in the libel that the article was adulterated in that it consisted in whole or in part of a filthy, decomposed, or putrid vegetable substance.

On January 31, 1929, default having been noted, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

R. W. DUNLAP, *Acting Secretary of Agriculture.*

**16195. Misbranding of canned pimientos. U. S. v. 25 Cases, et al., of Canned Pimientos. Decrees of condemnation and forfeiture. Product released under bond. (F. & D. No. 23333. I. S. Nos. 0684, 0685, 0686, 03191, 03192, 03193. S. No. 1416.)**

On January 14, 1929, the United States attorney for the Eastern District of Pennsylvania, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district libels praying seizure and condemnation of 92 cases of canned pimientos, remaining in the original unbroken packages at Philadelphia, Pa., consigned by the Curtis Corporation, Long Beach, Calif., alleging that the article had been shipped from Long Beach, Calif., on or about December 14, 1928, and transported from the State of California into the State of Pennsylvania, and charging misbranding in violation of the food and drugs act as amended. The article was labeled in



part, variously: (Cans) "Rialto California Pimientos Morrones Sweet Peppers \* \* \* Net Contents 4 Oz. \* \* \* Packed by the Rialto Corporation, Long Beach \* \* \* U. S. A.;" "Stewart Super Quality California Pimientos Morrones \* \* \* Net Contents 4 Oz. \* \* \* The Alexander B. Stewart Organizations Incorporated Los Angeles, U. S. A.;" "Garnishola California Pimientos Morrones Extra Fancy Sweet Red Peppers \* \* \* Net Contents 4 oz. \* \* \* Packed by The Curtis Corporation Long Beach, Cal., U. S. A."

It was alleged in the libels that the article was misbranded in that the statement "Net Contents 4 Oz.," borne on the can label, was false and misleading and deceived and misled the purchaser. Misbranding was alleged for the further reason that the article was food in package form and the quantity of the contents was not plainly and conspicuously marked on the outside of the package, since the quantity stated was not correct.

On February 4, 1929, the Curtis Corporation, Long Beach, Calif., having appeared as claimant for the property, judgments of condemnation and forfeiture were entered, and it was ordered by the court that the product be released to the said claimant upon payment of costs and the execution of bonds totaling \$460, conditioned in part that it be relabeled under the supervision of this department.

R. W. DUNLAP, *Acting Secretary of Agriculture.*

**16196. Adulteration of canned sardines. U. S. v. 12 Cases of Sardines. Default decree of condemnation, forfeiture, and destruction.** (F. & D. No. 23024. I. S. No. 03302. S. No. 1104.)

On August 27, 1928, the United States attorney for the District of Columbia, acting upon a report by the Secretary of Agriculture, filed in the Supreme Court of the district aforesaid, holding a District Court, a libel praying seizure and condemnation of 12 cases of sardines, remaining in the original unbroken packages at Washington, D. C., alleging that the article had been shipped by the R. J. Peacock Canning Co., from Lubec, Me., June 8, 1928, and transported from the State of Maine into the District of Columbia, that it was being offered for sale in the District of Columbia, and charging adulteration in violation of the foods and drugs act. The article was labeled in part: "Ski-Hi Brand Sardines \* \* \* Packed by R. J. Peacock Canning Co., Lubec, Maine."

It was alleged in the libel that the article was adulterated in that it consisted in whole or in part of a filthy, decomposed, or putrid animal substance.

On February 11, 1929, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

R. W. DUNLAP, *Acting Secretary of Agriculture.*

**16197. Adulteration of canned sauerkraut. U. S. v. 150 Cases of Canned Sauerkraut. Default decree of condemnation, forfeiture, and destruction.** (F. & D. No. 23293. I. S. No. 05909. S. No. 1420.)

On December 29, 1928, the United States attorney for the Northern District of California, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying seizure and condemnation of 150 cases of canned sauerkraut, remaining in the original unbroken packages at San Francisco, Calif., alleging that the article had been shipped by the C. M. Bogle Packing Co., from Seattle, Wash., on or about October 27, 1928, and transported from the State of Washington into the State of California, and charging adulteration in violation of the food and drugs act. The article was labeled in part: (Can) "Husky Brand Sauerkraut \* \* \* Packed by C. M. Bogle Packing Co., Seattle."

It was alleged in the libel that the article was adulterated in that it consisted in whole or in part of a decomposed vegetable substance.

On February 9, 1929, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

R. W. DUNLAP, *Acting Secretary of Agriculture.*

**16198. Adulteration and misbranding of butter. U. S. v. Mutual Creamery Co. Plea of guilty. Fine, \$50.** (F. & D. No. 22574. I. S. Nos. 17489-x, 17494-x.)

On August 10, 1928, the United States attorney for the District of Utah, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against the Mutual Creamery Co., a corporation, Ogden, Utah, alleging shipment by said company,



in violation of the food and drugs act, in two consignments, on or about February 29, 1928, and March 7, 1928, respectively, from the State of Utah into the State of Washington, of quantities of butter which was adulterated and misbranded. The article was labeled in part: (Tub) "Mutual Cry Co. Seattle Wash. Net Contents This Package 69 Lbs."

It was alleged in the information that the article was adulterated in that a product which contained less than 80 per cent by weight of milk fat had been substituted for butter, a product which must contain not less than 80 per cent by weight of milk fat as prescribed by the act of Congress of March 4, 1923, which the said article purported to be.

Misbranding was alleged for the reason that the article was offered for sale under the distinctive name of another article, to wit, butter.

On February 12, 1929, a plea of guilty to the information was entered on behalf of the defendant company, and the court imposed a fine of \$50.

R. W. DUNLAP, *Acting Secretary of Agriculture.*

**16199. Adulteration and misbranding of granulated damiana herb. U. S. v. 250 Pounds of Granulated Damiana Herb. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 22728. I. S. No. 25016-x. S. No. 731.)**

On April 23, 1928, the United States attorney for the Northern District of Ohio, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying seizure and condemnation of 250 pounds of granulated damiana herb at Cleveland, Ohio, alleging that the article had been shipped by S. B. Penick & Co. (Inc.), New York, N. Y., on or about May 16, 1927, and transported from the State of New York into the State of Ohio, and charging adulteration and misbranding in violation of the food and drugs act.

Analysis of a sample of the article by this department showed that it contained 13.2 per cent of acid-insoluble ash.

It was alleged in the libel that the article was adulterated in that it was sold under a name synonymous with the name recognized in the National Formulary and differed from the standard of strength, quality, or purity provided by the said National Formulary, and in that its strength or purity fell below the professed standard or quality under which it was sold.

Misbranding was alleged for the reason that the statement "Granulated Damiana Herb," borne on the label, was false and misleading.

On February 7, 1929, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

R. W. DUNLAP, *Acting Secretary of Agriculture.*

**16200. Adulteration of chestnuts. U. S. v. 14 Cases of Chestnuts. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 23229. I. S. No. 04110. S. No. 1339.)**

On December 6, 1928, the United States attorney for the District of Columbia, acting upon a report by the Secretary of Agriculture, filed in the Supreme Court of the district aforesaid, holding a District Court, a libel praying seizure and condemnation of 14 cases of chestnuts, remaining in the original unbroken packages at Washington, D. C., alleging that the article had been shipped by the International Fruit Exchange, from New York, N. Y., on or about November 15, 1928, and had been transported from the State of New York into the District of Columbia and was being offered for sale and sold in said district, and charging adulteration in violation of the food and drugs act.

It was alleged in the libel that the article was adulterated in that it consisted in whole or in part of a filthy, decomposed, or putrid vegetable substance.

On February 11, 1929, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

R. W. DUNLAP, *Acting Secretary of Agriculture.*

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# United States Department of Agriculture

## FOOD, DRUG, AND INSECTICIDE ADMINISTRATION

### NOTICES OF JUDGMENT UNDER THE FOOD AND DRUGS ACT

[Given pursuant to section 4 of the food and drugs act]

16201-16225

[Approved by the Acting Secretary of Agriculture, Washington, D. C., September 17, 1929]

**16201. Misbranding of flour. U. S. v. The Continental Milling Co. Plea of guilty. Fine, \$10 and costs. (F. & D. No. 22541. I. S. Nos. 13326-x, 16482-x.)**

On April 13, 1928, the United States attorney for the District of Maryland, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against the Continental Milling Co., a corporation, Ellicott City, Md., alleging shipment by said company, in violation of the food and drugs act as amended, on or about June 21, 1927, from the State of Maryland into the State of Massachusetts of a quantity of flour, and on or about June 24, 1927, from the State of Maryland into the State of Pennsylvania of a quantity of middlings, which said articles were misbranded. The middlings were labeled in part: (Sack) "100 Lbs. Continental Choice Middlings \* \* \* The Continental Milling Co., Ellicott City, Md." The flour was labeled in part: (Sack) "5 Lbs. Net."

It was alleged in the information that the articles were misbranded in that the statements, to wit, "5 Lbs. Net," with respect to the flour, and "100 lbs.," with respect to the middlings, borne on the labels of the respective articles, were false and misleading in that the said statements represented that the sacks contained 5 pounds of flour, or 100 pounds of middlings, as the case might be, and for the further reason that the articles were labeled as aforesaid so as to deceive and mislead the purchaser into the belief that the said sacks contained 5 pounds of flour, or 100 pounds of middlings, as the case might be, whereas the said sacks contained less than so represented. Misbranding was alleged for the further reason that the articles were foods in package form and the quantity of the contents was not plainly and conspicuously marked on the outside of the package.

On February 11, 1929, a plea of guilty to the information was entered on behalf of the defendant company, and the court imposed a fine of \$10 and costs.

R. W. DUNLAP, *Acting Secretary of Agriculture.*

**16202. Misbranding of breeding tonic and calf cholera remedy. U. S. v. 9 Cans of Breeding Tonic, et al. Default decrees of condemnation, forfeiture, and destruction. (F. & D. Nos. 23281, 23282. I. S. Nos. 0116, 0117. S. Nos. 1401, 1402.)**

On December 28, 1928, the United States attorney for the Northern District of California, acting upon reports by the Secretary of Agriculture, filed in the District Court of the United States for said district libels praying seizure and condemnation of 9 cans of breeding tonic and 10 cans of calf cholera remedy, remaining in the original unbroken packages at Sacramento, Calif., alleging that the articles had been shipped by the Dr. David Roberts Veterinary Co., from Waukesha, Wis., on or about October 16, 1928, and November 13, 1928, respectively, and transported from the State of Wisconsin into the State of California, and charging misbranding in violation of the food and drugs act as amended.

Analyses of samples of the articles by this department showed that the breeding tonic consisted essentially of magnesium sulphate, sodium chloride, sulphur, cornstarch, sugar, a small amount of phenol, and crude drugs, including damiana, burdock, cantharides, nux vomica, capsicum, and anise; and that

the calf cholera remedy consisted essentially of bismuth subnitrate, calcium carbonate, iron compounds, salol, starch, and crude drugs, including licorice, anise, and ginger.

It was alleged in the libels that the articles were misbranded in that the statements on the can labels regarding the curative and therapeutic effects of the respective articles (breeding tonic) "Breeding Tonic for toning the Genital Organs of Livestock \* \* \* when a cow, mare, ewe, or sow fails to conceive when bred, it is evident that their genital organs are not in a healthy condition, which may result from various causes, one of the most common among cows being the removal of the afterbirth by force after a former freshening period \* \* \*. From 2 Lbs. to 12 Lbs. of Breeding Tonic should be given to each cow or mare. Double the dose for cows carrying a mummified calf. No animals should be slaughtered or sold without giving them this opportunity of breeding \* \* \*. Give each cow or ewe one tablespoonful of breeding tonic morning and evening in feed until they conceive \* \* \*. If they fail to conceive after giving Breeding Tonic as directed and breeding them at one, two, or three different heat periods it will be necessary to use a Womb Sound and Dilators to open up the mouth of the womb. Give each Ewe or Sow one tablespoonful of Breeding Tonic once daily in feed until they conceive," (calf cholera remedy) "Calf Cholera \* \* \* Calf Cholera Remedy for the following ailments Calf Cholera, White Scours, Diarrhoea, Bloody Fluxes, Dysentery, Scours, and Indigestion in all live stock \* \* \* Calf Cholera Remedy \* \* \* to prevent and overcome scours in all live stock \* \* \* until bowels move naturally \* \* \* until the bowels move naturally," were false and fraudulent, since the said articles contained no ingredients or combinations of ingredients capable of producing the effects claimed.

On February 15, 1929, no claimant having appeared for the property, judgments of condemnation and forfeiture were entered, and it was ordered by the court that the products be destroyed by the United States marshal.

R. W. DUNLAP, *Acting Secretary of Agriculture.*

**16203. Adulteration and misbranding of tomato puree. U. S. v. 26 Cases of Tomato Puree. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 23313. I. S. No. 03272. S. No. 1418.)**

On January 5, 1929, the United States attorney for the Eastern District of Pennsylvania, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying seizure and condemnation of 26 cases of tomato puree, remaining in the original unbroken packages at Philadelphia, Pa., consigned by William Laning & Son Co., Bridgeton, N. J., alleging that the article had been shipped from Bridgeton, N. J., on or about November 7, 1928, and transported from the State of New Jersey into the State of Pennsylvania, and charging adulteration and misbranding in violation of the food and drugs act. The article was labeled in part: "Silver Lake Whole Tomato Puree \* \* \* Packed by Wm. Laning & Son Co."

It was alleged in the libel that the article was adulterated in that it consisted in part of a filthy, decomposed, and putrid vegetable substance, an analysis of a sample of the product showing the presence of moldy material and that the article was made from tomato cores and skins.

Misbranding was alleged for the reason that the statements "Whole Tomato Puree" and "Made From Whole Tomatoes" were false and misleading and deceived and misled purchasers.

On January 29, 1929, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

R. W. DUNLAP, *Acting Secretary of Agriculture.*

**16204. Misbranding of Lane's cold tablets. U. S. v. 23 Dozen Packages of Lane's Cold Tablets. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 23354. I. S. No. 03286. S. No. 1501.)**

On January 29, 1929, the United States attorney for the Eastern District of Pennsylvania, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying seizure and condemnation of 23 dozen packages of Lane's cold tablets, remaining in the original unbroken packages at Philadelphia, Pa., consigned by Kemp & Lane (Inc.), Le Roy, N. Y., alleging that the article had been shipped from Le Roy, N. Y., on or about January 15, 1929, and transported from the



State of New York into the State of Pennsylvania, and charging misbranding in violation of the food and drugs act as amended.

Analysis of a sample of the article by this department showed that it consisted essentially of acetanilid, with small amounts of quinine sulphate, camphor, and aloin.

It was alleged in the libel that the article was misbranded in that the statement "Quinine Compound," borne on the retail carton and on the carton containing 1 dozen retail packages, was false and misleading. Misbranding was alleged for the further reason that the statement "For \* \* \* Grip," on the individual carton and on the carton containing 1 dozen retail packages, and the statements, "Successfully used in the treatment of \* \* \* Grip," "Quinine Sulphate—Allays Fever (borne on the retail carton only)," were false and fraudulent, in that the article contained no ingredient or combination of ingredients capable of producing the effects claimed, and in that the said statements were applied to the article knowingly, and in reckless and wanton disregard of their truth or falsity, so as to represent falsely and fraudulently to purchasers thereof and create in the minds of such purchasers the impression and belief that the article was in whole or in part composed of or contained ingredients or medicinal agents effective in the diseases and conditions named therein.

On February 18, 1929, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

R. W. DUNLAP, *Acting Secretary of Agriculture.*

**16205. Adulteration of canned shrimp. U. S. v. 104 Cases, et al., of Canned Shrimp. Consent decree of condemnation and forfeiture. Product released under bond.** (F. & D. Nos. 23235, 23236, 23237, 23241, 23242, 23243, 23245, 23246, 23258. I. S. Nos. 066, 068, 070, 071, 072, 075, 05952, 05953. S. Nos. 1344, 1347, 1349, 1357, 1369.)

On December 8, 10, 11, 13, and 18, 1928, respectively, the United States attorney for the Northern District of California, acting upon reports by the Secretary of Agriculture, filed in the District Court of the United States for said district libels praying seizure and condemnation of 1,135 cases of canned shrimp, remaining in the original unbroken packages at San Francisco, Calif., consigned by the Caernarvon Canning Co., Caernarvon, La., alleging that the article had been shipped in part from New Orleans, La., and in part from Caernarvon, La., in various consignments on or about September 12, October 2, and October 10, 1928, respectively, and transported from the State of Louisiana into the State of California, and charging adulteration in violation of the food and drugs act. The article was contained in cans, respective portions of which said cans were labeled variously: "Broadway Brand Fresh Shrimp \* \* \* Packed by Caernarvon Canning Co., Inc., Caernarvon, La. Office New Orleans, La.;" "High Life Brand Shrimp \* \* \* Packed for and Guaranteed by Scheer Co. San Francisco, Calif.;" "Max-I-Mum Brand Dry Barataria Shrimp Extra Quality Western States Grocery Company;" "Ready Lunch Brand Fresh Shrimp \* \* \* Packed by Caernarvon Canning Co. Inc., Caernarvon, La." A portion of the article was contained in unlabeled cans, the cases containing which were labeled in part: "Western States Grocery Co. Parrott Co. San Francisco Calif. L. D. P."

It was alleged in the libels that the article was adulterated in that it consisted in part of a decomposed animal substance.

On February 16, 1929, the cases having been consolidated into one cause of action and Parrott & Co., San Francisco, Calif., having appeared as claimant for the property and having consented to the entry of a decree, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be released to the said claimant upon payment of costs and the execution of a bond in the sum of \$6,000, conditioned in part that it be made to conform with the Federal food and drugs act under the supervision of this department.

R. W. DUNLAP, *Acting Secretary of Agriculture.*

**16206. Adulteration and misbranding of cheese. U. S. v. 7 Boxes of Cheese. Decree entered finding product adulterated and misbranded. Product ordered released under bond.** (F. & D. No. 22102. I. S. No. 21180-x. S. No. 149.)

On or about October 20, 1927, the United States attorney for the District of Columbia, acting upon a report by the Secretary of Agriculture, filed in the Supreme Court of the district aforesaid, holding a District Court, a libel praying



seizure and condemnation of 7 boxes of cheese at Washington, D. C., alleging that the article had been offered for sale and sold in the District of Columbia, in violation of the food and drugs act, by F. A. Denison & Co., Washington, D. C., and charging adulteration and misbranding in violation of the food and drugs act.

It was alleged in the libel that the article was adulterated in that skim milk cheese had been substituted in part for the said article, and in that a valuable constituent, milk fat, had been in part abstracted.

Misbranding was alleged for the reason that the article was offered for sale and sold under the distinctive name of another article.

F. A. Denison & Co., of Washington, D. C., intervened and claimed ownership of the cheese, whereupon it was stipulated by counsel representing the Government and the intervenor that the contract under which the cheese was delivered called for cheese made from whole milk and containing at least 50 per cent butterfat on a water free basis, whereas the cheese under seizure contained not more than 21 per cent butterfat on such water free basis; that the product was delivered as "cheese" implying thereby that it was cheddar cheese, a cheese made from whole milk, whereas it was in fact made from skim milk; and that the intervenor, F. A. Denison & Co., acted in good faith in the transaction, having no knowledge that the cheese was not in accordance with the specifications set forth in the contract or that it contained on the water free substance basis less than 50 per cent of butterfat.

On November 9, 1928, the court entered a decree adjudging the cheese to be adulterated and misbranded within the meaning of the act, and it was ordered by the court that the product be released to the intervenor to be relabeled or reconditioned under the supervision of the Department of Agriculture, upon the payment of costs and the execution of a bond in the amount of \$50, conditioned that the said product would not be sold or otherwise disposed of contrary to law.

R. W. DUNLAP, *Acting Secretary of Agriculture.*

**16207. Adulteration of almonds. U. S. v. 34 Sacks of Almonds. Default decree of condemnation, forfeiture, and destruction.** (F. & D. Nos. 23276, 23278. I. S. No. 01409. S. No. 1398.)

On December 22, 1928, the United States attorney for the Eastern District of Missouri, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying seizure and condemnation of 34 sacks of almonds, remaining in the original unbroken packages at St. Louis, Mo., alleging that the article had been shipped by the Bennett Day Importing Co., from New York, N. Y., on or about November 24, 1928, and transported from the State of New York into the State of Missouri, and charging adulteration in violation of the food and drugs act. The article was labeled in part: "Gasulls Best Dried Fruit B. D. I. Co. Stain Tarragonas Almonds."

It was alleged in the libel that the article was adulterated in that it consisted in part of a filthy, decomposed, and putrid vegetable substance.

On February 15, 1929, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

R. W. DUNLAP, *Acting Secretary of Agriculture.*

**16208. Misbranding of Hy'ne. U. S. v. 34 Packages of Hy'ne. Default decree of condemnation, forfeiture, and destruction.** (F. & D. No. 22264. I. S. No. 14500-x. S. No. 303.)

On December 9, 1927, the United States attorney for the Northern District of Iowa, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying seizure and condemnation of 34 packages of Hy'ne at Dubuque, Iowa, alleging that the article had been shipped by the Hy'ne Co., Chicago, Ill., on or about October 17, 1927, and transported from the State of Illinois into the State of Iowa, and charging misbranding in violation of the food and drugs act as amended.

Analysis of a sample of the article by this department showed that it consisted essentially of boric and salicylic acids, ammonia alum, thymol, quinine, and cacao butter.

The article was labeled in part: (Wrapper, box label, and circular) "Woman's \* \* \* Remedy;" (circular) "The first two or three applications may cause a slight smarting or burning sensation for a few minutes. Pay no attention to this as it will cease after a few applications. The extent of the burn-

ing is a criterion of the depth of the disease, as a perfectly healthy person will not experience it in the slightest \* \* \*. For aches, pains, or strains which may be attributed to the weakness of the genital organs, use one 'cone' at any time \* \* \*. If the pains do not cease at the end of four hours, use another cone \* \* \*. For excessive flowing, weaknesses, painful menstruation, etc. \* \* \*. For suppressed, or irregular menstruation \* \* \*. For leucorrhoea or whites use one cone every eight hours for four days, then one each night for a month, or until cured. \* \* \* for womb diseases, unpleasant discharges, inflammations, ulceration, pains in kidneys or bladder, etc. \* \* \* Hy'ne may cause a slight burning sensation when first used. Do not be alarmed at this. It will pass away as the parts become healthy. To an absolutely healthy person no sensation is felt. After using for three days syringe the parts well with hot water; in many cases pieces or chunks of tissue will be discharged. Do not be alarmed at this as it is just as it should be. These are the primary causes of local irritation—and it is often necessary to remove these by surgical operation, the only resort in serious cases of leucorrhoea, etc., except the use of Hy'ne. \* \* \* as a soothing stimulant or tonic can be used beneficially by every woman \* \* \*. To replace the prolapsed womb \* \* \* a patient can readily replace the womb \* \* \* and by the time the cones have cured engorgement and relaxed vagina, there will be no prolapsus."

It was alleged in the libel that the article was misbranded in that the above-quoted statements were false and fraudulent, since the said article did not contain any ingredient or combination of ingredients capable of accomplishing the results promised. Misbranding was alleged for the further reason that the following statements on the box label and in the circular were false and misleading, to wit, (box label) "Hyne is a guarantee of fullest compliance with the Pure Food and Drug Law and meets the highest requirements as to Uniformity, Purity, Efficiency, and therefore Reliability;" (circular) "Hy'ne is absolutely harmless. It contains no \* \* \* deleterious substances. It is principally of vegetable origin and can be used without fear of injury."

On December 6, 1928, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

R. W. DUNLAP, *Acting Secretary of Agriculture.*

**16209. Misbranding of Jayzon's laxative cold tablets. U. S. v. 46 Dozen Packages of Jayzon's Laxative Cold Tablets. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 23371. I. S. No. 03066. S. No. 1518.)**

On February 6, 1929, the United States attorney for the Southern District of New York, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying seizure and condemnation of 46 packages of Jayzon's laxative cold tablets, remaining in the original unbroken packages at New York, N. Y., alleging that the article had been shipped by D. C. Leo & Co. (Inc.), from Des Moines, Iowa, on or about September 19, 1928, and transported from the State of Iowa into the State of New York, and charging misbranding in violation of the food and drugs act as amended.

Analysis of a sample of the article by this department showed that it consisted essentially of acetanilide, a small amount of cinchona alkaloids, and extracts of plant drugs, such as aloe, podophyllum, and capsicum.

It was alleged in the libel that the article was misbranded in that the statement, borne on the label of the carton (box), "A valuable preparation of \* \* \* LaGrippe," regarding the curative and therapeutic effects of the said article, was false and fraudulent in that the article contained no ingredient or combination of ingredients capable of producing the effects claimed, and in that the said statement was applied to the article knowingly and in reckless and wanton disregard of its truth or falsity so as to represent falsely and fraudulently to the purchaser, and to create in the minds of purchasers thereof the impression and belief that the article was in whole or in part composed of or contained ingredients or medicinal agents effective in the disease named therein.

On March 4, 1929, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

R. W. DUNLAP, *Acting Secretary of Agriculture.*



**16210. Adulteration of cashew nuts. U. S. v. 11 Cases of Cashew Nuts. Consent decree of condemnation and forfeiture. Product released under bond. (F. & D. No. 23224. I. S. No. 03613. S. No. 1331.)**

On December 5, 1928, the United States attorney for the Southern District of New York, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying seizure and condemnation of 11 cases of cashew nuts, remaining in the original unbroken packages at New York, N. Y., consigned by Lavitola Mastroti, Cape Haiti, Haiti, alleging that the article had been shipped from Cape Haiti, Haiti, on or before December 1, 1928, and transported from Haiti, into the State of New York, and charging adulteration in violation of the food and drugs act. The article was labeled in part: "Nones Airpack Cashews Whole."

It was alleged in the libel that the article was adulterated in violation of section 7 of the act, paragraph 6, under food, in that it consisted in whole or in part of wormy nuts.

On January 16, 1929, A. Nones & Co., New York, N. Y., claimant, having admitted the allegations of the libel and having consented to the entry of a decree, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be released to the said claimant upon payment of costs and the execution of a bond in the sum of \$500, conditioned in part that the good portion be separated from the bad portion and the latter destroyed or denatured under the supervision of this department.

R. W. DUNLAP, *Acting Secretary of Agriculture.*

**16211. Misbranding of cottonseed cake. U. S. v. 500 Sacks of Cottonseed Cake. Default decree of condemnation and forfeiture. Product ordered sold or released under bond. (F. & D. No. 23273. I. S. No. 04784. S. No. 1386.)**

On December 24, 1928, the United States attorney for the District of Wyoming, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying seizure and condemnation of 500 sacks of cottonseed cake, remaining unsold in the original unbroken packages at Worland, Wyo., consigned by the Dallas Oil & Refining Co., Dallas, Tex., alleging that the article had been shipped from Dallas, Tex., on or about December 11, 1928, and transported from the State of Texas into the State of Wyoming, and charging misbranding in violation of the food and drugs act.

It was alleged in substance in the libel that the article was misbranded in that the label bore the following statements: "100 Pounds Net Cotton Seed Cake or Meal, Manufactured by Dallas Oil & Refining Co., Dallas, Texas. Analysis Protein 43 per cent," which statements were false and misleading and deceived and misled the purchaser, since the article did not contain 43 per cent of protein, but did contain a much smaller percentage of protein.

On January 29, 1929, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be sold by the United States marshal. It was further ordered by the court that the product might be delivered to the owner or owners upon payment of costs and the execution of a bond in the sum of \$2,000, conditioned in part that it should not be disposed of contrary to law; and it was further ordered that the United States marshal, before delivery of the product to the owner or purchaser, require them to relabel it as required by law, and particularly to state the amount of crude protein therein.

R. W. DUNLAP, *Acting Secretary of Agriculture.*

**16212. Adulteration and misbranding of spirits of nitre. U. S. v. 11 Dozen Bottles of Spirits of Nitre. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 20841. I. S. No. 7219-x. S. No. E-5638.)**

On February 13, 1926, the United States attorney for the Western District of Virginia, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying seizure and condemnation of 11 dozen bottles of spirits of nitre, remaining in the original unbroken packages at Charlottesville, Va., consigned about December 22, 1925, alleging that the article had been shipped by the W. H. Crawford Co., from Baltimore, Md., and transported from the State of Maryland into the State of Virginia, and charging adulteration and misbranding in violation of the food and drugs act.



Analysis of a sample of the article by this department showed that it contained isopropyl alcohol.

The article was labeled in part: "Phoenix Brand Pure Products Spirits Nitre 4% Ethyl Nitrate 91% Alcohol. W. H. Crawford Co., Baltimore, Md."

It was alleged in the libel that the article was adulterated in that it was offered for sale under and by the name, to wit, spirits of nitre, recognized in the United States Pharmacopoeia official at the time of investigation, and differed from the standard of strength, quality, and purity as determined by the test laid down in said pharmacopoeia.

Misbranding was alleged for the reason that the article was an imitation of and offered for sale under another name, to wit, spirits of nitre, and for the further reason that it contained isopropyl alcohol.

On February 4, 1929, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

R. W. DUNLAP, *Acting Secretary of Agriculture.*

**16213. Misbranding of Fildrysine. U. S. v. 14 Bottles of Fildrysine. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 23160. I. S. No. 02106. S. No. 1228.)**

On or about October 22, 1928, the United States attorney for the District of Porto Rico, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying seizure and condemnation of 14 bottles of Fildrysine, in possession of the Drug Co. of Porto Rico (Inc.), San Juan, P. R., alleging that the article was being sold and offered for sale in Porto Rico, and charging misbranding in violation of the food and drugs act as amended.

Analysis of a sample of the article by this department showed that it consisted essentially of iodides of potassium and sodium with small amounts of compounds of arsenic and mercury, a trace of berberine, glycerin, alcohol (1.5 per cent), and water.

It was alleged in the libel that the article was misbranded in that the following statements regarding the curative or therapeutic effects of the article were false and fraudulent, since it contained no ingredient or combination of ingredients capable of producing the effects claimed: (Carton and bottle label) "Recommended for such states of the blood and skin which require the use of a depurative;" (circular) "Cure Yourself \* \* \* Our Lady of Lourdes; Fountain of Health, Hundreds of faithful people annually visit in search of health the miraculous fountains of Lourdes. You do not need to make such an expensive trip; have faith in the medicines prescribed in this pamphlet and you will enjoy good health. Faith is what Saves \* \* \* out with the bad humors with the use of this prodigious and new depurative. The most powerful blood purifier \* \* \*. Its use is indicated in all the diseases which are due to bad humors or vitiated blood, either recent or chronic, hereditary or by contagion. Therefore, it combats with efficacy Filariasis (Chronic inflammation of the Legs), Syphilis (Chancres, chancroids, cutaneous eruptions and other affections of the cells and organs derived from them), Erysipelas, Glandular Infarcts, (Adenitis), Chronic Ulcers, Grains, Blemishes, Herpes, Eczema, Groins, Pimples, Rheumatism, Gout, Inflammation of the Joints, Buboes, etc. \* \* \* in the Treatment of syphilis, after a series of Antisyphilitic injections such as Salvarsan (606) or Neo-Salvarsan (914) nothing will complete more efficaciously its radical cure than a series of six bottles of Fildrysine, this prodigious depurative."

On January 3, 1929, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

R. W. DUNLAP, *Acting Secretary of Agriculture.*

**16214. Misbranding of Fildrysine. U. S. v. 3 Dozen Bottles of Fildrysine. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 23159. I. S. No. 02105. S. No. 1227.)**

On October 22, 1928, the United States attorney for the District of Porto Rico, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying seizure and condemnation of 3 dozen bottles of Fildrysine, in the possession of J. M. Blanco (Inc.), San Juan, Porto Rico, alleging that the article was being sold and offered for

sale in Porto Rico, and charging misbranding in violation of the food and drugs act as amended.

Analysis of a sample of the article by this department showed that it consisted essentially of iodides of potassium and sodium with small amounts of compounds of arsenic and mercury, a trace of berberine, glycerin, alcohol (1.5 per cent), and water.

It was alleged in the libel that the article was misbranded in that the following statements regarding the curative or therapeutic effects of the article were false and fraudulent, since it contained no ingredient or combination of ingredients capable of producing the effects claimed: (Carton and bottle label) "Recommended for such states of the blood and skin which require the use of a depurative," (circular) "Cure yourself, Our Lady of Lourdes, Fountain of health, Hundreds of faithful people annually visit in search of Health the miraculous fountains of Lourdes. You do not need to make such an expensive trip; have faith in the medicines prescribed in this pamphlet and you will enjoy good health. Faith is what saves \* \* \* out with the bad humors with the use of this prodigious and new depurative, the most powerful blood purifier \* \* \*. Its use is indicated in all the diseases which are due to bad humors or viciated blood, either recent or chronic, hereditary or by contagion. Therefore, it combats with efficacy Filariasis (Chronic inflammation of the legs), Syphilis (Chancres, Chancroids, cutaneous eruptions and other affections of the cells and organs derived from them), Erysipelas, Glandular Infarcts (Adenitis), Chronic Ulcers, Grains, Blemishes, Herpes, Eczema, Groins, Pimples, Rheumatism, Gout, Inflammation of the Joints, Buboes, etc. \* \* \*. In the Treatment of Syphilis, after a series of Antisyphilitic injections such as Salvarsan (606) or Neosalvarsan (914) nothing will complete more efficaciously its radical cure than a series of six bottles of Fildrysine, this prodigious depurative."

On January 3, 1929, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

R. W. DUNLAP, *Acting Secretary of Agriculture.*

**16215. Misbranding of Asceine. U. S. v. 5500 Envelopes of Asceine. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 23179. I. S. No. 02112. S. No. 1272.)**

On or about November 8, 1928, the United States attorney for the District of Porto Rico, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying seizure and condemnation of 5,500 envelopes of Asceine at San Juan, P. R., in possession of Serra, Garabis & Co., alleging that the article was being offered for sale and sold in Porto Rico, and charging misbranding in violation of the food and drugs act as amended.

Analysis of a sample of the article by this department showed that it consisted essentially of caffeine, acetphenetidin, and acetyl salicylic acid.

It was alleged in the libel that the article was misbranded in that the statement appearing on the labeling of the envelope, (Spanish translation) "Without Harmful Secondary Effects," was false and misleading, and for the further reason that the article contained acetphenetidin, a derivative of acetanilide, and the package failed to bear a statement on the label of the quantity or proportion of acetphenetidin. Misbranding was alleged for the further reason that the following statements appearing on the labeling, (envelope, Spanish translation), "Neuralgia, Migraine, Grippe, Sciatica, Rheumatism, Chills, Pains In The Head And Teeth," (advertising card, Spanish translation) "Anti-Rheumatic \* \* \* Soothing, Neuralgia, Migraine, Grippe, Sciatica, Rheumatism and all Pains," regarding the curative or therapeutic effects of the article, were false and fraudulent, since the said article contained no ingredient or combination of ingredients capable of producing the effects claimed, and the said statements were applied to the article knowingly and in reckless and wanton disregard of their truth or falsity so as to represent falsely and fraudulently to the purchasers thereof and create in the minds of purchasers thereof the impression and belief that the article was in whole or in part composed of or contained ingredients or medicinal agents effective in the diseases and conditions named therein.

On December 28, 1928, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

R. W. DUNLAP, *Acting Secretary of Agriculture.*



**16216. Adulteration of dressed chickens. U. S. v. 13 Barrels of Dressed Chickens. Consent decree of condemnation and forfeiture. Product released under bond. (F. & D. No. 23141. I. S. No. 05327. S. No. 1240.)**

On October 13, 1928, the United States attorney for the Northern District of Illinois, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying seizure and condemnation of 13 barrels of dressed chickens, remaining in the original unbroken packages at Chicago, Ill., alleging that the article had been shipped by H. M. Noack Sons Co., Arlington, Minn., September 24, 1928, and transported from the State of Minnesota into the State of Illinois, and charging adulteration in violation of the food and drugs act.

It was alleged in the libel that the article was adulterated in that it consisted in part of a filthy animal substance, in that it consisted in part of a decomposed substance, in that it was the product of a diseased animal, and in that it consisted in part of a portion of an animal unfit for food.

On February 20, 1929, Joseph E. Goldberg, Chicago, Ill., claimant, having admitted the allegations of the libel and having consented to the entry of a decree, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be released to the said claimant upon payment of costs and the execution of a good and sufficient bond, conditioned in part that it be examined under the supervision of this department, and the portion unfit for food destroyed and the portion fit for food released.

R. W. DUNLAP, *Acting Secretary of Agriculture.*

**16217. Misbranding of Zonite. U. S. v. 23 Dozen 14-Oz. Bottles, et al., of Zonite. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 23352. I. S. No. 03640. S. No. 1496.)**

On January 29, 1929, the United States attorney for the District of New Jersey, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying seizure and condemnation of 23 dozen 14-ounce bottles, 60 dozen 6-ounce bottles, and 60 dozen 2½-ounce bottles of Zonite at Newark, N. J., alleging that the article had been shipped by the Zonite Products Co., Brooklyn, N. Y., January 15, 1929, and transported from the State of New York into the State of New Jersey, and charging misbranding in violation of the food and drugs act as amended.

Analysis of a sample of the article by this department showed that it consisted essentially of a solution of sodium hypochlorite, yielding approximately 1 per cent of available chlorine.

It was alleged in the libel that the article was misbranded in that the following statements were false and misleading: (Booklet) "Pimples, Boils, Eruptions, etc. \* \* \* apply a dilution of 1 part Zonite to 5 parts warm water frequently to cleanse and remove pus \* \* \*. Noxious body odors are frequently due to germs infecting the sweat glands. Zonite neutralizes the odors and destroys the germs. \* \* \* Antisepsis of Nose and Throat." Misbranding was alleged for the further reason that the following statements regarding the curative and therapeutic effects of the article were false and fraudulent, since the said article contained no ingredient or combination of ingredients capable of producing the effects claimed: (Carton) "Skin infections \* \* \* A careful reading of the booklet in this carton will show Zonite to be a household necessity for aiding in the prevention of many communicable diseases;" (bottle label) "Dandruff \* \* \* Halitosis \* \* \* Wounds \* \* \* Ulcerations;" (booklet) "Since Pasteur proved that contagious diseases and infection of wounds are caused by malignant bacteria, Medical Science has done its utmost to guard mankind from germ attack. But physicians have been hampered in their efforts by this fact \* \* \*. During the Great War two scientists developed a solution for the treatment of wounds—non-poisonous and non-caustic, yet a powerful germicide. This discovery reduced infection of wounds in Allied hospitals from seventy-five to one per cent \* \* \*. Now the great discovery is available for general use. Zonite is a concentrated and stabilized solution of the active principle of the Great War antiseptic \* \* \*. Antisepsis of Skin Tissues. A whole and healthy skin is Nature's best defense against bacteria. Every break invites infection and should be immediately disinfected. Wounds \* \* \*. Injuries of this character may result in serious blood poisoning \* \* \*. For serious wounds and burns use Zonite as above for first aid and call a physician. Pimples, Boils, Eruptions, etc.: These frequently indicate systemic disorders. Each sore or pimple contains pus filled



with germs. If the infection is due to systemic trouble medical treatment is advisable. Surface infection, however, may usually be controlled in the home. Apply a dilution of 1 part Zonite to 5 parts warm water frequently to cleanse and remove pus \* \* \*. Authorities state that dandruff largely results from germs. These may be removed and kept from the scalp \* \* \*. For prevention \* \* \*. Noxious body odors are frequently due to germs infecting the sweat glands, Zonite neutralizes the odors and destroys the germs \* \* \*. Antisepsis of Nose and Throat. Germs of \* \* \* influenza, pneumonia, etc., find excellent conditions for growth on membranes of the nose and throat. Frequent cleansing and disinfection are needed to kill harmful bacteria and prevent serious disease \* \* \*. Catarrh, Sinus Trouble: Nasal catarrh is an infected condition of secretions accumulated in the nasal passages. Sinus trouble and deafness may follow neglect \* \* \* then increase the strength of the solution to assure proper antisepsis \* \* \*. Sore throat: At the first feeling of distress or dryness in the throat resort should be made to Zonite. Gargle \* \* \* at two or three hour intervals until discomfort has passed. The Tonsils: Prompt germicidal treatment is a valuable aid in preventing tonsillitis. On experiencing discomfort in swallowing or pain in the tonsils gargle \* \* \* periodically till relieved \* \* \*. Antisepsis of Mouth and Teeth. The mouth attracts more germs than any other part of the body. Some are breathed in—others are bred in the decomposition of food particles which cling to the teeth. Saliva and other natural defenses of the healthy body do not suffice to prevent mouth troubles under present conditions of living. Regular disinfection must be practised to maintain health \* \* \*. Pyorrhea is a germ-disease of the gums, causing falling-out of the teeth and producing pus responsible for serious disturbances in the blood, heart, kidneys, and intestinal tract \* \* \*. Zonite, however, is a valuable aid in preventing pyorrheal infection \* \* \*. In cases of established pyorrhea, pure Zonite may be advantageously applied with cotton swab to the gum margins where pus and bleeding appear \* \* \*. Trench Mouth, Stomatitis: Trench mouth is a serious bacterial infection of the oral membranes. Stomatitis manifests itself in white patches or canker sores caused by intestinal derangement or unclean conditions in the mouth \* \* \*. White patches and sores should be swabbed with Zonite full strength \* \* \*. Halitosis: Zonite destroys the germs responsible for annoying breath odors \* \* \*. Its physiological properties tend to stimulate the natural secretions of mucus and serum, which are necessary in maintaining a healthy condition and proper functional balance \* \* \* but it is recommended for antiseptic cleansing \* \* \*. Hemorrhoids, Piles: To prevent germ infection the parts should be frequently washed with soap and warm water. After cleansing, a lotion of 1 part Zonite to 5 to 20 parts warm water may be applied. Enema: The increasing use of the enema is a hopeful indication of growing public interest in prevention of disease."

On March 4, 1929, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

R. W. DUNLAP, *Acting Secretary of Agriculture.*

**16218. Adulteration and misbranding of canned salmon. U. S. v. 50 Cases of Chum Salmon. Default order of destruction or sale entered. (F. & D. No. 23107. I. S. No. 012127. S. No. 1196.)**

On September 25, 1928, the United States attorney for the Eastern District of Tennessee, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying seizure and condemnation of 50 cases of chum salmon at Knoxville, Tenn., alleging that the article had been shipped by Small & Urie, Tillamook, Ore., on or about December 27, 1927, and transported from the State of Oregon into the State of Tennessee, and charging adulteration and misbranding in violation of the food and drugs act. The article was labeled in part: "Sweet Chariot Brand Chum Salmon \* \* \* Small & Urie Packers & Distributors, Tillamook, Oregon."

It was alleged in the libel that the article was adulterated in that it consisted in whole or in part of a filthy, decomposed, or putrid animal substance.

Misbranding was alleged in the libel for the reason that the statement "Sweet Chariot Brand Chum Salmon" was false and misleading and deceived and

misled the public, and in that the article was offered for sale under the name of another article.

The charge recommended by this department was that the article was adulterated, as alleged in the libel. No misbranding charge was recommended.

On February 1, 1929, no claimant having appeared for the property, judgment was entered, ordering that the product be destroyed by the United States marshal or that it might be sold for fertilizer or kindred uses by the said marshal if he deemed it expedient and wise.

R. W. DUNLAP, *Acting Secretary of Agriculture.*

**16219. Adulteration of canned tomato pulp and adulteration and misbranding of canned tomato puree. U. S. v. 850 Cases of Tomato Puree, et al. Default decrees of condemnation, forfeiture, and destruction.** (F. & D. Nos. 23272, 23319. I. S. Nos. 03481, 03482. S. Nos. 1348, 1372.)

On or about December 24, 1928, and January 8, 1929, respectively, the United States attorney for the District of Maryland, acting upon reports by the Secretary of Agriculture, filed in the District Court of the United States for said district libels praying seizure and condemnation of 850 cases of tomato puree and 945 cases of tomato pulp, remaining in the original unbroken packages at Baltimore, Md., alleging that the articles had been shipped by W. E. Robinson & Co., the tomato pulp on or about October 20, 1928, and the tomato puree on or about October 31, 1928, and had been transported from the State of Delaware into the State of Maryland, and charging adulteration with respect to the tomato pulp, and adulteration and misbranding with respect to the tomato puree, in violation of the food and drugs act. The tomato puree was labeled in part: "Newark Brand Tomato Puree \* \* \* Packed by John F. Richards, Newark, Del."

It was alleged in the libels that the articles were adulterated in that they consisted in part of filthy, decomposed, and putrid vegetable substances.

Misbranding of the tomato puree was alleged for the reason that the statement on the label, "Tomato Puree," was false and misleading and deceived and misled the purchaser when applied to a product made from tomato trimmings and cores.

On February 27, 1929, no claimant having appeared for the property, judgments of condemnation and forfeiture were entered, and it was ordered by the court that the products be destroyed by the United States marshal.

R. W. DUNLAP, *Acting Secretary of Agriculture.*

**16220. Adulteration of walnuts. U. S. v. 26 Sacks of Walnuts. Default decree of condemnation, forfeiture, and destruction.** (F. & D. No. 23202. I. S. Nos. 0752, 0758. S. No. 1303.)

On November 19, 1928, the United States attorney for the Northern District of California, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying seizure and condemnation of 26 sacks of walnuts, remaining in the original unbroken packages at San Francisco, Calif., having been consigned by E. Gilbert & Co. from Berkeley, Calif., about November 3, 1928, to Portland, Oreg., and returned to San Francisco, Calif. It was alleged in the libel that the article had been shipped in interstate commerce from Portland, Oreg., into the State of California, arriving at San Francisco, Calif., November 18, 1927 (1928), and charging adulteration in violation of the food and drugs act. The article was labeled in part: "P. Binn, Oregon Gardeners Assn. Portland, Oregon."

It was alleged in the libel that the article was adulterated in that it consisted wholly or in part of a filthy, decomposed, and putrid vegetable substance.

On February 26, 1929, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

R. W. DUNLAP, *Acting Secretary of Agriculture.*

**16221. Misbranding of Nozol. U. S. v. 10 Dozen Bottles and 11 Bottles of Nozol. Default decree of condemnation, forfeiture, and destruction.** (F. & D. No. 23372. I. S. Nos. 03642, 03643. S. No. 1511.)

On February 6, 1929, the United States attorney for the Southern District of New York, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying seizure and condemnation of 10 dozen small-sized bottles and 11 large-sized bottles of Nozol, remaining in the unbroken packages at New York, N. Y., alleging that



the article had been shipped by the Nozol Co. (Inc.), Pittsburgh, Pa., on or about January 16, 1929, and transported from the State of Pennsylvania into the State of New York, and charging misbranding in violation of the food and drugs act as amended.

Analysis of a sample of the article by this department showed that it consisted essentially of a heavy petroleum oil, containing menthol and camphor, colored with a red dye.

It was alleged in substance in the libel that the article was misbranded in that the following statements regarding the curative and therapeutic effects of the said article were false and fraudulent in that it contained no ingredient or combination of ingredients capable of producing the effects claimed: (Label) "Keep the nose clean and healthy \* \* \* Unequaled in cases of Catarrh, Hay Fever, Asthma, and General Nose Troubles. Permits free and easy breathing \* \* \*, use it regularly to kill germs lodging in the nose;" (carton accompanying some of the packages) "Keeps the nose clean and healthy \* \* \* Nose Remedy. Keep the nose healthy with Nozol \* \* \* Excellent for Catarrh, Hay Fever, Asthma, etc.;" (display poster accompanying some of the packages in shipping package) "Clears the Nose;" (counter display card accompanying some of the packages) "Relieves Sinus trouble \* \* \* Makes Breathing Easy \* \* \* Recommended by Specialists for \* \* \* Hay Fever, General Nose Troubles, Use Nozol For Sinus Trouble;" (small folder accompanying all of the packages) "Nozol America's Nose Remedy \* \* \* The Health and Care of the Nose. Medical authorities are stressing the importance of the proper regular care of the nose as a preventive of disease as well as in the treatment where infection has already set in. Most of the troubles of the human race can be traced to germs and it is through nasal passages that many of these germs enter. We constantly breathe air that is filled with dust, germ-laden particles—some of these pass off with the nasal secretions. However, not all are passed because many lodge on the moist membranous linings and soon an infection appears. Regular cleaning of the nasal passages is as important as cleaning your teeth—the fact that they cannot be readily seen results in many people neglecting them. Nozol is today recognized by physicians, hospitals, and specialists as the foremost preparation for the treatment of general nasal troubles. Furthermore, they recommend Nozol to prevent as well as to check disease \* \* \* Nozol healing \* \* \* the infected parts and helping to stop further spread of the infection \* \* \* permits sufficient time for therapeutic action. \* \* \* Nozol \* \* \* is an effective agent in combating sinus trouble. Nozol is a liquid \* \* \* reaching all parts of the mucous membrane, whereas salves and ointments seldom reach all the infected parts. Nozol for Nasal Catarrh. Catarrh of the nose is one of the most common of diseases. Chronic inflammation of the membrane caused usually by excessive secretion is usually present in nasal catarrh, and daily use of Nozol should be followed. The healing, soothing qualities of Nozol will greatly aid nature in curing this catarrhal condition \* \* \* Nozol for Hay Fever. Sufferers from hay fever seldom receive the sympathy to which they are entitled and no certain cure has ever been discovered. Thousands to-day are getting welcome relief during severe attacks and others start prevention early through the use of Nozol. Pollen, that carries the dreaded hay fever, attacks the delicate tissues of the lining. Nozol, when used in time spreads over the tissues preventing the pollen from attacking the lining \* \* \* Nozol for Sinus Trouble \* \* \*. It is estimated that two out of three people in America are troubled with sinus infection of varying degrees. Sinus trouble usually follows severe colds and is indicated by frequent headaches, drippings of mucus into the throat, stoppage of nasal passages and soreness and tenderness beneath the eye and over the cheek bone. If nature is allowed free rein, it can usually correct this condition. Nozol most effective preparation for sinus trouble. By using Nozol regularly, the nasal passages are kept clear and clean and proper drainage of the sinus allowed. Use frequently, three or four times a day if convenient and shortly the most stubborn cases of sinus trouble usually will yield to this treatment. Physicians are among those loudest in their praise of Nozol for sinus trouble \* \* \*. People having trouble breathing while sleeping, and this is also true in case of children, can overcome this condition by clearing out the passages with Nozol."

On March 5, 1929, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

R. W. DUNLAP, *Acting Secretary of Agriculture.*



**16222. Adulteration of tomato ketchup. U. S. v. Libby, McNeill & Libby. Plea of guilty. Fine, \$40. (F. & D. No. 21586. I. S. Nos. 5821-x, 6679-x.)**

On May 14, 1928, the United States attorney for the District of Delaware, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against Libby, McNeill & Libby, a corporation organized and existing under the laws of the State of Maine, and having a place of business at Wyoming, Del., alleging shipment by said company, in violation of the food and drugs act, on or about October 26, 1925, from the State of Delaware into the State of Georgia, and on or about November 6, 1925, from the State of Delaware into the State of New York, of quantities of tomato ketchup which was adulterated.

It was alleged in the information that the article was adulterated in that it consisted in part of a filthy and decomposed and putrid vegetable substance.

On September 14, 1928, a plea of guilty to the information was entered on behalf of the defendant company, and the court imposed a fine of \$40.

R. W. DUNLAP, *Acting Secretary of Agriculture.*

**16223. Misbranding of breeding tonic, cow cleaner, and calf cholera remedy. U. S. v. 11 Packages of Breeding Tonic, et al. Default decrees of condemnation, forfeiture, and destruction. (F. & D. No. 23326. I. S. Nos. 01671, 01672, 01673. S. No. 1394.)**

On January 12, 1929, the United States attorney for the Northern District of Ohio, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district libels praying seizure and condemnation of 11 packages of breeding tonic, 30 packages of cow cleaner, and 10 packages of calf cholera remedy, remaining in the original unbroken packages at Cleveland, Ohio, alleging that the articles had been shipped from the Dr. David Roberts Veterinary Co., Waukesha, Ws., between the dates of August 14, 1928, and November 27, 1928, and transported from the State of Wisconsin into the State of Ohio, and charging misbranding in violation of the food and drugs act as amended.

Analyses of samples of the articles by this department showed that the breeding tonic consisted essentially of magnesium sulphate, sodium chloride, sulphur, cornstarch, sugar, a small amount of phenol, and crude drugs, including damiana, burdock, cantharides, nux vomica, capsicum, and anise; that the calf cholera remedy consisted essentially of bismuth subnitrate, calcium carbonate, iron compounds, salol, starch, and crude drugs, including licorice, anise, and ginger; and that the cow cleaner consisted essentially of magnesium sulphate, sodium chloride, borax, a small amount of phenol, starch, and crude drugs, including damiana, burdock, locust bean, dandelion, nux vomica, licorice, and anise.

The articles were labeled, in part, respectively: (Breeding tonic) "Breeding Tonic for Toning the Genital Organs of Livestock \* \* \* When a cow, mare, ewe, or sow fails to conceive when bred, it is evident that their genital organs are not in a healthy condition, which may result from various causes, one of the most common among cows being the removal of the afterbirth by force after a former freshening period \* \* \*. From 2 Lbs. to 12 Lbs. of Breeding Tonic should be given to each cow or mare. Double the dose for cows carrying a mummified calf. No animals should be slaughtered or sold without giving them this opportunity of breeding \* \* \*. Give each cow or mare one tablespoonful of Breeding Tonic morning and evening in feed until they conceive \* \* \*. If they fail to conceive after giving Breeding Tonic as directed and breeding them at one, two, or three different heat periods it will be necessary to use a Womb Sound and Dilators to open the mouth of the womb. Give each ewe or sow one tablespoonful of Breeding Tonic once daily in feed until they conceive;" (cow cleaner) "Cow Cleaner For Cows and Heifers \* \* \* Give a cow or heifer one tablespoonful of Cow Cleaner three times daily in feed, beginning one week before calving, and continue until she has properly cleaned \* \* \* Cow Cleaner \* \* \* Cow ruined as a profit producer. While a cow may appear to be little inconvenienced by the retention of the afterbirth, at the same time she is if neglected, being slowly but surely ruined as a milker, breeder, or profit producer. When Force is Used Parts Remain and Cow Often Fails to Breed. The parts of the afterbirth attached to the buttons are retained and undergo putrefaction, and the buttons torn from the womb leave raw sores which become infected by the rotting, decomposing, irritating masses of foreign matter of which a large per cent is absorbed by the system;" (calf cholera remedy) "Calf Cholera \* \* \* follow with Calf

Cholera Remedy for the following ailments: Calf Cholera, White Scours, Diarrhoea, Bloody Fluxes, Dysentery, Scours, and Indigestion in all live stock \* \* \* Calf Cholera Remedy \* \* \* To Prevent and Overcome Scours in all Live Stock \* \* \* until Bowels move naturally \* \* \* until the bowels move naturally."

It was alleged in the libels that the articles were misbranded in that the above-quoted statements regarding the curative and therapeutic effects of the said articles were false and fraudulent, since they contained no ingredients or combinations of ingredients capable of producing the effects claimed.

On February 11, 1929, no claimant having appeared for the property, judgments of condemnation and forfeiture were entered, and it was ordered by the court that the products be destroyed by the United States marshal.

R. W. DUNLAP, *Acting Secretary of Agriculture.*

**16224. Misbranding of cooking compound. U. S. v. 75 Cases of Cooking Compound. Consent decree of condemnation and forfeiture. Product released under bond. (F. & D. No. 23301. I. S. No. 07408. S. No. 1433.)**

On January 4, 1929, the United States attorney for the District of Colorado, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying seizure and condemnation of 75 cases of cooking compound, remaining in the original unbroken packages at Denver, Colo., consigned by the Danish Packing Co. (Ltd.), of Providence, R. I., alleging that the article had been shipped from Chicago, Ill., on or about December 22, 1928, and transported from the State of Illinois into the State of Colorado, and charging misbranding in violation of the food and drugs act as amended. The article was labeled in part: (Cartons) "1 pound Net Weight. Penobscot Nut Product for Best Cooking and Baking. Danish Packing Co., Ltd., Providence, R. I."

It was alleged in the libel that the article was misbranded in that the statement "1 Pound Net Weight," borne on the label, was false and misleading and deceived and misled the purchaser, and in that the article was food in package form and the quantity of the contents was not plainly and conspicuously marked on the outside of the package, since the quantity stated was not correct.

On January 19, 1929, the Blayne-Murphy Co., Denver, Colo., claimant, having admitted the allegations of the libel and having consented to the entry of a decree, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be released to the said claimant upon payment of costs and the execution of a bond in the sum of \$100, conditioned in part that it be shipped to the Danish Packing Co. (Ltd.) at Chicago, the original manufacturer and shipper thereof, and that the said Danish Packing Co. (Ltd.) repack the article to bring the packages up to the weight of 1 pound. On February 15, 1929, the decree was amended to permit shipment of the product to Providence, R. I., to be there reconditioned by the said shipper.

R. W. DUNLAP, *Acting Secretary of Agriculture.*

**16225. Adulteration and misbranding of cottonseed meal. U. S. v. 70 Bags of Cottonseed Meal. Product released under bond to be relabeled. (F. & D. No. 23082. I. S. No. 0433. S. No. 1166.)**

On or about November 19, 1928, the United States attorney for the District of New Mexico, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying seizure and condemnation of 70 bags of cottonseed meal, remaining unsold in the original packages at Deming, N. Mex., alleging that the article had been shipped by the Community Milling Co., El Paso, Tex., May 8, 1928, and transported from the State of Texas into the State of New Mexico, and charging adulteration and misbranding in violation of the food and drugs act. The article was labeled in part: "43 per cent protein Cottonseed Meal Prime Quality One Hundred Pounds Net. Manufactured by Spears & Company, El Paso, Texas, Crude Protein no less than 43 per cent."

It was alleged in substance in the libel that the bags containing the article were misbranded and the contents thereof adulterated, in that the said statements upon the bags and labels regarding the chemical contents of the article

of food therein contained were false and misleading and intended and calculated to deceive and did deceive the purchaser, in that a product containing less than 43 per cent protein had been substituted for 43 per cent protein cottonseed meal, which the said article purported to be.

On January 2, 1929, the Community Milling Co., El Paso, Tex., having appeared as claimant for the property and having admitted the allegations of the libel, judgment was entered finding that the product should be relabeled to show a 40 per cent protein content, and it was ordered by the court that the product be released to the claimant upon payment of costs and the execution of a good and sufficient bond, conditioned in part that it be relabeled so as to show the true and correct protein content.

R. W. DUNLAP, *Acting Secretary of Agriculture.*



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# United States Department of Agriculture

## FOOD, DRUG, AND INSECTICIDE ADMINISTRATION

### NOTICES OF JUDGMENT UNDER THE FOOD AND DRUGS ACT

[Given pursuant to section 4 of the food and drugs act]

16226-16250

[Approved by the Acting Secretary of Agriculture, Washington, D. C., September 20, 1929]

**16226. Adulteration of canned sardines. U. S. v. 9½ Cases of Sardines. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 23054. I. S. No. 02528. S. No. 1144.)**

On September 4, 1928, the United States attorney for the District of New Hampshire, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying seizure and condemnation of 9½ cases of sardines, remaining in the original unbroken packages at Concord, N. H., consigned by the Sunset Packing Co. (Inc.), Pembroke, Me., alleging that the article had been shipped from Pembroke, Me., July 31, 1928, and transported from the State of Maine into the State of New Hampshire, and charging adulteration in violation of the food and drugs act. The article was labeled in part: "Sunco Brand \* \* \* Sardines \* \* \* Packed by Sunset Packing Co., Inc., West Pembroke, Me."

It was alleged in the libel that the article was adulterated in that it consisted in part of a decomposed animal substance.

On October 3, 1928, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

R. W. DUNLAP, *Acting Secretary of Agriculture.*

**16227. Adulteration of canned sardines. U. S. v. 14 Cases of Sardines. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 23006. I. S. No. 02468. S. No. 1096.)**

On August 23, 1928, the United States attorney for the District of New Hampshire, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying seizure and condemnation of 14 cases of sardines, remaining in the original unbroken packages at Manchester, N. H., consigned by the MacNichol Packing Co., Eastport, Me., alleging that the article had been shipped from Eastport, Me., June 26, 1928, and transported from the State of Maine into the State of New Hampshire, and charging adulteration in violation of the food and drugs act. The article was labeled in part: "Keystone Brand \* \* \* Sardines \* \* \* Packed by MacNichol Packing Co. Eastport, Me."

It was alleged in the libel that the article was adulterated in that it consisted in whole or in part of a filthy, decomposed, or putrid animal substance.

On October 3, 1928, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

R. W. DUNLAP, *Acting Secretary of Agriculture.*

**16228. Adulteration of canned sardines. U. S. v. 5 Cases of Sardines. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 23055. S. No. 1145.)**

On September 4, 1928, the United States attorney for the District of New Hampshire, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying seizure and condemnation of 5 cases of sardines, remaining in the original unbroken packages at Concord, N. H., consigned by the Union Sardine Co., Eastport, Me., alleging that the article had been shipped from Eastport, Me., June 29, 1928, and transported from the State of Maine into the State of New Hampshire, and

charging adulteration in violation of the food and drugs act. The article was labeled in part: "Leader Brand \* \* \* Sardines Packed and Guaranteed by the Union Sardine Company, Lubec, Maine."

It was alleged in the libel that the article was adulterated in that it consisted in part of a decomposed animal substance.

On October 3, 1928, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

R. W. DUNLAP, *Acting Secretary of Agriculture.*

**16229. Adulteration and misbranding of pure fruit syrup orangeade and pure fruit strawberry.** U. S. v. 19 Jugs of Pure Fruit Syrup Orangeade, et al. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 22930. I. S. Nos. 20991-x, 20992-x. S. No. 980.)

On July 31, 1928, the United States attorney for the District of New Hampshire, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying seizure and condemnation of 19 jugs of pure fruit syrup orangeade and 4 jars of pure fruit strawberry, remaining in the original unbroken packages at Keene, N. H., consigned by the Natural Products Co., Boston, Mass., alleging that the articles had been shipped from Boston, Mass., on or about June 13, 1928, and transported from the State of Massachusetts into the State of New Hampshire, and charging adulteration and misbranding in violation of the food and drugs act as amended. The articles were labeled in part, respectively; "Natural Brand One Gallon Net Pure Fruit Syrup Orangeade \* \* \* Artificial Color \* \* \* Natural Products Co., Boston, Mass.;" and "Natural Pure Fruit Strawberry \* \* \* Artificial Color \* \* \*. Natural Products Co., Boston, Mass."

Adulteration of the orangeade was alleged in the libel for the reason that a substance, an imitation orangeade deficient in orange juice and containing added citric acid, had been substituted in part for the said article and had been mixed and packed therewith so as to reduce, lower, and injuriously affect its quality and strength, and in that it had been colored in a manner whereby inferiority was concealed. Adulteration of the strawberry was alleged for the reason that a substance deficient in juice and containing added sugar and glucose had been substituted in part for the article and had been mixed and packed therewith so as to reduce, lower, and injuriously affect its quality and strength.

Misbranding of the said orangeade was alleged for the reason that the statements "Natural Pure Fruit Syrup Orangeade One Gallon Net" and the design of a cut of fresh fruit, including oranges, borne on the label, were false and misleading and deceived and misled the purchaser, for the further reason that it was food in package form and the quantity of contents was not plainly and conspicuously marked on the outside of the package, and for the further reason that the article was an imitation of and offered for sale under the distinctive name of another article. Misbranding of the strawberry was alleged for the reason that the statement "Natural Pure Fruit Strawberry," borne on the label, was false and misleading and deceived and misled the purchaser, and for the further reason that the article was offered for sale under the distinctive name of another article.

On October 3, 1928, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

R. W. DUNLAP, *Acting Secretary of Agriculture.*

**16230. Misbranding of pineapple juice.** U. S. v. 141 Cases of Unsweetened Pineapple Juice. Consent decree of condemnation and forfeiture. Product released under bond. (F. & D. No. 23339. I. S. No. 05916. S. No. 1477.)

On January 23, 1929, the United States attorney for the Northern District of California, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying seizure and condemnation of 141 cases of unsweetened pineapple juice, remaining in the original packages at San Francisco, Calif., consigned by the Hawaiian Pineapple Co. (Ltd.), Honolulu, Hawaii, alleging that the article had been shipped from Honolulu, in part on or about June 7, 1928, and in part on or about October 18, 1928, and transported from the territory of Hawaii into the State of California, and charging misbranding in violation of the food and drugs act as amended. The article was labeled in part: (Can) "Unsweetened Juice Paradise Island



Brand Packed by Hawaiian Pineapple Co. Ltd. Honolulu, T. H. Hawaiian Islands, Contents 1 Pint 14 Fl. Oz."

It was alleged in the libel that the article was misbranded in that the statement on the label, "Contents 1 pint 14 Fl. Oz.," was false and misleading and deceived and misled the purchaser, and for the further reason that the article was food in package form and the quantity of the contents was not plainly and conspicuously marked on the outside of the packages, since the quantity stated was not correct.

On February 5, 1929, the Hawaiian Pineapple Co. (Ltd.), Honolulu, Hawaii, having appeared as claimant for the property and having consented to the entry of a decree, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be released to the said claimant upon payment of costs and the execution of a bond in the sum of \$389.20, conditioned in part that it be made by the claimant to conform to and with the provisions of the Federal food and drugs act under the supervision of this department.

R. W. DUNLAP, *Acting Secretary of Agriculture.*

**16231. Misbranding and alleged adulteration of preserves. U. S. v. 947 Cases of Strawberry Preserves, et al. Product adjudged misbranded and ordered released under bond. (F. & D. No. 22866. I. S. Nos. 25321-x, 25322-x. S. No. 916.)**

On July 6, 1928, the United States attorney for the Eastern District of Missouri, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying seizure and condemnation of 947 cases of strawberry preserves and 143 cases of peach preserves, remaining in the original unbroken packages at St. Louis, Mo., alleging that the article had been shipped by the Eigelberner Food Products Co., from Chicago, Ill., on or about May 17, 1928, and transported from the State of Illinois into the State of Missouri, and charging adulteration and misbranding in violation of the food and drugs act. The article was labeled in part: "Old Mother Hubbard Preserves \* \* \* Eigelberner Food Products Co., Chicago. Strawberry (or "Peaches")."

It was alleged in the libel that the article was adulterated in that it was deficient in fruit and contained added tartaric acid which had been mixed and packed with and substituted in part for the said article.

Misbranding was alleged for the reason that the statement "Pure Preserves," borne on the label, was false and misleading and deceived and misled the purchaser, and in that the product was offered for sale under the distinctive name of another article.

On September 17, 1929, the Eigelberner Food Products Co., Chicago, Ill., having appeared as claimant for the property and having admitted the material allegations of the libel, a decree was entered adjudging the product misbranded, and it was ordered by the court that the said product be released to the claimant upon payment of costs and the execution of a bond in the sum of \$2,000, conditioned in part that it be relabeled, "Fruit in Sugar Strawberry (or "Peach") Not a Jam. Prepared from 65% Sugar Added Fruit Acid 35% Strawberry (or "Peach")," the statement "Pure preserves" being eliminated from the label.

R. W. DUNLAP, *Acting Secretary of Agriculture.*

**16232. Adulteration of frozen turkeys. U. S. v. 29 Barrels of Frozen Turkeys. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 23220. I. S. No. 01529. S. No. 1327.)**

On November 30, 1929, the United States attorney for the Eastern District of Missouri, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying seizure and condemnation of 29 barrels of frozen turkeys, remaining in the original unbroken packages at St. Louis, Mo., alleging that the article had been shipped by S. A. Christian, Dallas, Tex., on or about November 22, 1928, and transported from the State of Texas into the State of Missouri, and charging adulteration in violation of the food and drugs act. The article was labeled in part: "From S. A. Christian, Dallas, Texas."

It was alleged in the libel that the article was adulterated in that it consisted in part of a decomposed animal substance.

On January 9, 1929, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

R. W. DUNLAP, *Acting Secretary of Agriculture.*

**16233. Misbranding of flour. U. S. v. 480 Six-Pound Sacks, et al., of Flour. Decree of forfeiture entered. Product released under bond.** (F. & D. No. 23337. I. S. Nos. 05683, 05684. S. No. 1472.)

On January 19, 1929, the United States attorney for the Southern District of Georgia, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying seizure and condemnation of 480 six-pound sacks and 704 twelve-pound sacks of flour, remaining in the original unbroken packages at Savannah, Ga., alleging that the article had been shipped by the Dixie Portland Flour Co., from Charleston, S. C., on or about January 1, 1929, and transported from the State of South Carolina into the State of Georgia, and charging misbranding in violation of the food and drugs act as amended. The article was labeled in part: (Sacks) "Dixie Portland Flour Mills U. S. A. Pure Soft Western Wheat Flour Self Rising Flour 6 Lbs. When Packed," or "Wild Rose Brand Dixie Portland Flour Mills U. S. A. Pure Soft Western Wheat Flour Self Rising 12 lbs. when packed."

It was alleged in the libel that the article was misbranded in that the statements on the labels, "6 Lbs. When Packed" and "12 Lbs. When Packed," were false and misleading and deceived and misled the purchaser, and for the further reason that the article was food in package form and the quantity of contents was not plainly and conspicuously marked on the outside of the packages, since the quantities stated were not correct.

On January 25, 1929, the Dixie Portland Flour Co., Charleston, S. C., having appeared as claimant for the property and having admitted the allegations of the libel, judgment of forfeiture was entered, and it was ordered by the court that the product be released to the said claimant upon payment of costs and the execution of a bond in the sum of \$500, conditioned in part that it be relabeled, resacked, and rebranded so as to comply with the Federal food and drugs act.

R. W. DUNLAP, *Acting Secretary of Agriculture.*

**16234. Misbranding of tomato paste. U. S. v. 42 Cases of Tomato Paste. Product relabeled and released.** (F. & D. No. 22805. I. S. No. 24006-x. S. No. 840.)

On June 4, 1928, the United States attorney for the Western District of New York, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying seizure and condemnation of 42 cases of tomato paste, remaining in the original unbroken packages at Buffalo, N. Y., alleging that the article had been shipped, on or about November 30, 1927, from Arlington, Calif., and transported from the State of California into the State of New York, and charging misbranding in violation of the food and drugs act.

Analysis of a sample of the article by this department showed that it had been colored with cochineal.

The article was labeled in part: "Naples Style Tomato Paste with Sweet Basilico Giardiniera Brand \* \* \* Salsa Di Pomodoro. Packed by La Sierra Heights Canning Co., Arlington, Cal."

It was alleged in the libel that the article was misbranded in that the statement "Salsa Di Pomodoro Tomato Paste" was false and misleading and deceived and misled the purchaser.

On September 19, 1928, the products having been theretofore released under bond to the claimant, the Progressive Italian Importing Co., Brooklyn, N. Y., and having been relabeled by order of the court, under the direction of this department, final order releasing the product to the claimant was entered.

R. W. DUNLAP, *Acting Secretary of Agriculture.*

**16235. Adulteration of Brazil nuts. U. S. v. 41 Sacks of Brazil Nuts. Consent decree of release under bond entered.** (F. & D. Nos. 23259, 23260, 23261, 23262. I. S. No. 01410. S. No. 1370.)

On December 19, 1928, the United States attorney for the Eastern District of Missouri, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying seizure and condemnation of 41 sacks of Brazil nuts, remaining in the original unbroken sacks at St. Louis, Mo., alleging that the article had been shipped by James W. McGlone (Inc.), New York, N. Y., on or about October 3, 1928, and transported from the State of New York into the State of Missouri, and charging adulteration in violation of the food and drugs act.

It was alleged in the libel that the article was adulterated in that it consisted in part of a filthy, decomposed, and putrid vegetable substance.



On February 15, 1929, James W. McGlone (Inc.), New York, N. Y., having appeared as claimant for the property and having tendered bond in the sum of \$1,500, conditioned as provided by law, a decree was entered approving said bond and ordering that the product be delivered to the claimant upon payment of costs.

R. W. DUNLAP, *Acting Secretary of Agriculture.*

**16236. Adulteration and misbranding of jellies. U. S. v. 150 Pails of Jelly, et al. Portion of products adjudged adulterated and misbranded; remainder adjudged adulterated. Consent decrees of condemnation and forfeiture. Products released under bond.** (F. & D. Nos. 23267, 23292. I. S. Nos. 01768, 01769, 05351, 05352, 05353. S. Nos. 1353, 1405.)

On December 20 and December 28, 1928, respectively, the United States attorney for the Southern District of Ohio, acting upon reports by the Secretary of Agriculture, filed in the District Court of the United States for said district libels praying seizure and condemnation of 246 pails of jelly, remaining in the original unbroken packages at Dayton, Ohio, alleging that the articles had been shipped by the C. Von Allmen Preserving Co., from Louisville, Ky., in part November 12, 1928, and in part November 23, 1928, and transported from the State of Kentucky into the State of Ohio, and charging adulteration and misbranding in violation of the food and drugs act. The articles were labeled in part: "Von Allmen's Pure Extra Quality Grape (or "Raspberry" or "Currant" or "Blackberry") Jelly, Manufactured by The C. Von Allmen Preserving Company, Louisville, Ky."

Adulteration was alleged in the libels with respect to the grape, currant, and a portion of the raspberry jellies for the reason that a substance deficient in fruit and containing sugar, pectin, and tartaric acid had been substituted in part for the articles and had been mixed and packed therewith so as to reduce and lower their quality. Adulteration was alleged with respect to the blackberry jelly and a portion of the raspberry jelly for the reason that a substance deficient in fruit and containing added acid and pectin had been substituted in part for the articles and had been mixed and packed therewith so as to reduce and lower their quality and strength.

Misbranding of the articles was alleged for the reason that the statements, "Raspberry Jelly," "Currant Jelly," "Grape Jelly," and "Blackberry Jelly," borne on the labels, were false and misleading and deceived and misled purchasers when applied to products containing added acid and pectin and which were deficient in fruit juice. Misbranding was alleged for the further reason that the articles were offered for sale under the distinctive names of other articles.

On February 9, 1929, the C. Von Allmen Preserving Co., Louisville, Ky., claimant, having admitted the allegations of the libels and having consented to the entry of decrees, judgments were entered finding the grape jelly, currant jelly, and a portion of the raspberry jelly adulterated and misbranded, and the blackberry jelly and a portion of the raspberry jelly adulterated. Decrees of condemnation and forfeiture were entered, and it was ordered by the court that the products be released to the said claimant upon payment of costs and the execution of bonds totaling \$1,000, conditioned in part that they be relabeled under the supervision of this department.

R. W. DUNLAP, *Acting Secretary of Agriculture.*

**16237. Adulteration and misbranding of canned tomatoes. U. S. v. 999 Cases of Canned Tomatoes. Decree of condemnation and forfeiture entered. Product released under bond.** (F. & D. No. 23233. I. S. No. 02423. S. No. 1336.)

On December 8, 1928, the United States attorney for the District of Massachusetts, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying seizure and condemnation of 999 cases of canned tomatoes, remaining in the original unbroken packages at Boston, Mass., consigned about October 1, 1928, alleging that the article had been shipped by the Frankford Canning Co., Frankford, Del., and transported from the State of Delaware into the State of Massachusetts, and charging adulteration and misbranding in violation of the food and drugs act. The article was labeled in part: "Delaware Brand Tomatoes (cut of red ripe tomato) \* \* \* Packed by Frankford Canning Co., Frankford, Del."

It was alleged in the libel that the article was adulterated in that a substance, puree, pulp, or juice from skins and cores, had been substituted wholly or in part for the article, and had been mixed and packed with it so as to reduce, lower, or injuriously affect its quality or strength.



Misbranding was alleged for the reason that the statement, design, or device on the package or label, "Tomatoes" (cut of red ripe tomato), was false and misleading and deceived and misled the purchaser, and for the further reason that the article was offered for sale under the distinctive name of another article.

On March 28, 1929, John S. McDaniel & Co. (Inc.), Easton, Md., having appeared as claimant for the property and having admitted the allegations of the libel, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be released to the said claimant upon payment of costs and the execution of a bond in the sum of \$2,500, conditioned in part that it be relabeled under the supervision of this department.

R. W. DUNLAP, *Acting Secretary of Agriculture.*

**16238. Adulteration of canned cherries. U. S. v. 200 Cases of Kewpie Brand Pitted Sour Cherries. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 23359. I. S. No. 05406. S. No. 1513.)**

On January 31, 1929, the United States attorney for the Southern District of Ohio, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying seizure and condemnation of 200 cases of canned cherries, remaining unsold at Cincinnati, Ohio, consigned by K. M. Davies Co. (Inc.), Williamson, N. Y., about September 20, 1928, alleging that the article had been shipped from Williamson, N. Y., and transported from the State of New York into the State of Ohio, and charging adulteration in violation of the food and drugs act. The article was labeled in part: "Kewpie Brand Pitted Sour Cherries \* \* \* Packed by K. M. Davies Co., Inc., Williamson, N. Y."

It was alleged in the libel that the article was adulterated in that it consisted in part of a filthy, decomposed, or putrid vegetable substance.

On March 26, 1929, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

R. W. DUNLAP, *Acting Secretary of Agriculture.*

**16239. Adulteration of rabbits. U. S. v. 17 Barrels of Rabbits. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 23479. I. S. No. 02781. S. No. 1708.)**

On February 26, 1929, the United States attorney for the Western District of New York, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying seizure and condemnation of 17 barrels of rabbits at Buffalo, N. Y., alleging that the article had been shipped by the Producers Produce Co., at Chillicothe, Mo., February 19, 1929, and transported from the State of Missouri into the State of New York, and charging adulteration in violation of the food and drugs act.

It was alleged in the libel that the article was adulterated in that it consisted in whole or in part of a filthy, decomposed, and putrid animal substance.

On March 7, 1929, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

R. W. DUNLAP, *Acting Secretary of Agriculture.*

**16240. Adulteration and misbranding of meat scraps. U. S. v. Quaker Soap Co. Plea of guilty. Fine, \$15. (F. & D. No. 22570. I. S. Nos. 10594-x, 10597-x.)**

On October 2, 1928, the United States attorney for the District of New Jersey, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against the Quaker Soap Co., a corporation, Secaucus, N. J., alleging shipment by said company, in violation of the food and drugs act as amended, from the State of New Jersey into the State of California, on or about December 15, 1926, of a quantity of meat scraps which were misbranded, and on or about February 14, 1927, of a quantity of meat scraps which were adulterated and misbranded. Shipment of December 15, 1926, was invoiced as "Meat Scraps," shipment of February 14, 1927, was invoiced as "Meat Scraps, Analysis attached 45.68."

Adulteration was alleged in the information with respect to the shipment of February 14, 1927, for the reason that a product which contained less

than 45.68 per cent of protein, to wit, approximately 41.34 per cent of protein, had been substituted for meat scraps, an article which contained, to wit, 45.68 per cent of protein, which the said article purported to be.

Misbranding of both shipments was alleged for the reason that the article was food in package form and the quantity of the contents was not plainly and conspicuously marked on the outside of the package.

On February 25, 1929, a plea of guilty to the information was entered on behalf of the defendant company, and the court imposed a fine of \$15.

R. W. DUNLAP, *Acting Secretary of Agriculture.*

**16241. Adulteration of evaporated peaches, evaporated apples, and black-eyed peas. U. S. v. Livingston Grain & Grocery Co. Plea of guilty. Fine, \$200.** (F. & D. No. 22597. I. S. Nos. 19332-x, 19333-x, 19334-x.)

On March 4, 1929, the United States attorney for the Southern District of Texas, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against the Livingston Grain & Grocery Co., a corporation, Livingston, Tex., alleging shipment by said company, in violation of the food and drugs act, on or about July 11, 1927, from the State of Texas into the State of Missouri, of quantities of evaporated peaches, evaporated apples, and blackeyed peas which were adulterated.

It was alleged in the information that the articles were adulterated in that they consisted in whole or in part of filthy, decomposed, and putrid animal and vegetable substances.

On March 11, 1929, a plea of guilty to the information was entered on behalf of the defendant company, and the court imposed a fine of \$200.

R. W. DUNLAP, *Acting Secretary of Agriculture.*

**16242. Adulteration of dried figs. U. S. v. 25 Cases of Dried Figs. Default decree of destruction entered.** (F. & D. No. 23226. I. S. No. 0647. S. No. 1333.)

On December 5, 1928, the United States attorney for the Southern District of California, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying seizure and condemnation of 25 cases of dried figs, remaining in the original packages at Wilmington, Los Angeles, Calif., alleging that the article had been shipped by the Contadina Oil Products Corporation, from Brooklyn, N. Y., on or about October 20, 1928, and transported from the State of New York into the State of California, and charging adulteration in violation of the food and drugs act. The article was labeled in part: "Bastile J. Pappadeas, Exporter of Greek Products, Calamata, Greece, Order Contadina Products Co."

It was alleged in the libel that the article was adulterated in that it consisted in whole or in part of a filthy, decomposed, or putrid vegetable substance and contained live larvae.

On December 28, 1928, no claimant having appeared for the property, a decree of the court was entered adjudging the product adulterated and ordering that it be destroyed by the United States marshal.

R. W. DUNLAP, *Acting Secretary of Agriculture.*

**16243. Adulteration of pecans. U. S. v. 70 Sacks of Pecans. Default decree of condemnation, forfeiture, and destruction.** (F. & D. No. 23234. I. S. No. 01984. S. No. 1343.)

On December 10, 1928, the United States attorney for the Northern District of Illinois, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying seizure and condemnation of 70 sacks of pecans, remaining in the original unbroken packages at Chicago, Ill., alleging that the article had been shipped by the Alex Woldert Co., from Tyler, Tex., May 7, 1928, and transported from the State of Texas into the State of Illinois, and charging adulteration in violation of the food and drugs act.

It was alleged in the libel that the article was adulterated in that it consisted in part of a filthy and decomposed vegetable substance.

On March 13, 1929, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

R. W. DUNLAP, *Acting Secretary of Agriculture.*



**16244. Adulteration of dressed chickens and ducks. U. S. v. 1 Barrel of Chickens and Ducks. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 23155. I. S. No. 04581. S. No. 1258.)**

On October 19, 1928, the United States attorney for the Northern District of Illinois, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying the seizure and condemnation of 1 barrel of chickens and ducks, remaining in the original unbroken package at Chicago, Ill., alleging that the article had been shipped by M. J. Ellison, from Clarksville, Iowa, November 18, 1927, and transported from the State of Iowa into the State of Illinois, and charging adulteration in violation of the food and drugs act.

It was alleged in the libel that the article was adulterated in that it consisted in part of a filthy, decomposed, and putrid animal substance.

On March 13, 1929, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

R. W. DUNLAP, *Acting Secretary of Agriculture.*

**16245. Adulteration of dressed chickens. U. S. v. 3 Barrels of Dressed Chickens. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 23157. I. S. No. 01776. S. No. 1259.)**

On October 19, 1928, the United States attorney for the Northern District of Illinois, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying the seizure and condemnation of 3 barrels of dressed chickens at Chicago, Ill., alleging that the article had been shipped by the Sam Trainin Produce Co., from Kansas City, Mo., October 29, 1927, and transported from the State of Missouri into the State of Illinois, and charging adulteration in violation of the food and drugs act.

It was alleged in the libel that the article was adulterated in that it consisted in part of a filthy, decomposed, and putrid animal substance, and for the further reason that it was in part the product of a diseased animal.

On March 13, 1929, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

R. W. DUNLAP, *Acting Secretary of Agriculture.*

**16246. Adulteration of dressed chickens. U. S. v. 6 Barrels of Dressed Chickens. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 23149. I. S. Nos. 04578, 04579, 04580. S. No. 1252.)**

On or about October 17, 1928, the United States attorney for the Northern District of Illinois, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying seizure and condemnation of 6 barrels of dressed chickens at Chicago, Ill., alleging that the article had been shipped by the R. E. Cobb Co., from St. Paul, Minn., July 30, 1928, and transported from the State of Minnesota into the State of Illinois, and charging adulteration in violation of the food and drugs act.

It was alleged in the libel that the article was adulterated in that it consisted in whole or in part of a filthy, decomposed, or putrid animal substance.

On March 13, 1929, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

R. W. DUNLAP, *Acting Secretary of Agriculture.*

**16247. Adulteration of canned salmon. U. S. v. 396 Cans of Salmon. Default decree of condemnation, forfeiture, and sale or destruction. (F. & D. No. 22843. I. S. No. 19358-x. S. No. 900.)**

On June 27, 1928, the United States attorney for the Southern District of Iowa, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying seizure and condemnation of 396 cans of salmon, remaining unsold in the original packages at Davenport, Iowa, alleging that the article had been shipped by the L. C. Mercantile Co., from Chicago, Ill., on or about August 13, 1926, and transported from the State of Illinois into the State of Iowa, and charging adulteration in violation of the food and drugs act. The article was labeled in part: "Royal Club Brand Alaska Red Salmon \* \* \* Packed by Red Salmon Canning Co., Bristol Bay, Alaska."

It was alleged in the libel that the article was adulterated in that it consisted in whole or in part of a filthy, decomposed, or putrid animal substance.



On November 1, 1928, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be sold by the United States marshal. It was further provided in the decree that the product should not be sold or disposed of contrary to the Federal food and drugs act or the laws of any State, Territory, district, or insular possession, and if not so sold or disposed of that it be destroyed.

R. W. DUNLAP, *Acting Secretary of Agriculture.*

**16248. Adulteration and misbranding of dairy feed. U. S. v. 59 Sacks, et al., of Dairy Feed. Decree of condemnation and forfeiture. Product released under bond. (F. & D. No. 23184. I. S. Nos. 013162, 013163, 013164. S. No. 1285.)**

On October 8, 1928, the United States attorney for the District of Maryland, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying seizure and condemnation of 144 sacks of dairy feed, remaining in the original unbroken packages at Baltimore, Md., alleging that the article had been shipped by the Newton Feed Co., from Milwaukee, Wis., on or about August 20, 1928, and transported from the State of Wisconsin into the State of Maryland, and charging adulteration and misbranding in violation of the food and drugs act. The article was labeled in part, variously: (59 sacks) "Institutional 32% Dairy Feed \* \* \* Analysis: Protein 32%, \* \* \* Fiber 12%;" (38 sacks) "Institutional 24% Dairy Feed. \* \* \* Analysis: Protein 24% \* \* \* Fiber 12%;" (47 sacks) "Institutional 20% Dairy Feed \* \* \* Analysis: Protein 20%, \* \* \* Fiber 12%. Manufactured by Newton Feed Company, Milwaukee, Wisconsin."

It was alleged in the libel that 59 sacks of the article were adulterated in that a substance deficient in protein and containing excessive fiber had been substituted in part for the said article and had been mixed and packed therewith so as to reduce and lower its quality and strength.

Misbranding of all the sacks was alleged for the reason that the statements, "32% Dairy Feed Analysis Protein 32% Fibre 12%," "24% Dairy Feed Analysis Protein 24%," and "20% Dairy Feed Analysis Protein 20%," borne on the tags attached to the sacks containing the article, were false and misleading and deceived and misled the purchaser, when applied to a dairy feed product containing a less amount of protein and an excessive amount of fiber. Misbranding was alleged for the further reason that the article was offered for sale under the distinctive name of another article.

On November 23, 1928, the Daniel Rider Co., Baltimore, Md., having appeared as claimant for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be released to the said claimant upon payment of costs and the execution of a bond in the sum of \$700, conditioned in part that it be relabeled to show its true protein and fiber content.

R. W. DUNLAP, *Acting Secretary of Agriculture.*

**16249. Misbranding of cottonseed meal. U. S. v. 350 Sacks of Cottonseed Meal. Product ordered released under bond to be relabeled. (F. & D. No. 23178. I. S. No. 05512. S. No. 1280.)**

On November 5, 1928, the United States attorney for the Northern District of Florida, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying seizure and condemnation of 350 sacks of cottonseed meal at Tallahassee, Fla., alleging that the article had been shipped by the Camilla Cotton Oil Co., Camilla, Ga., October 15, 1928, and transported from the State of Georgia into the State of Florida, and charging misbranding in violation of the food and drugs act. The article was labeled in part: (Tag) "Cottonseed Meal Camilla Cotton Oil Co. Camilla, Ga. \* \* \* Ammonia 7%."

It was alleged in substance in the libel that the article was misbranded in that it was falsely labeled and branded with the statement that it contained 7 per cent of ammonia, whereas the said article was deficient in ammonia content and the said label was misleading and calculated to deceive the purchaser in respect thereto.

On November 30, 1928, the Camilla Oil Co., Camilla, Ga., having appeared as claimant for the property, judgment was entered ordering the product released to the claimant upon the execution of a bond in the sum of \$250, conditioned in part that it be relabeled to show the ammonia content to be 6.66%.

R. W. DUNLAP, *Acting Secretary of Agriculture.*

**16250. Adulteration of canned shrimp. U. S. v. 140 Cases of Canned Shrimp. Decree of condemnation entered. Product released under bond. (F. & D. No. 23368. I. S. No. 0878. S. No. 1536.)**

On February 4, 1929, the United States attorney for the Eastern District of Louisiana, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying seizure and condemnation of 140 cases of canned shrimp, remaining in the original unbroken packages at New Orleans, La., alleging that the article had been shipped by the Western States Grocery Co., San Francisco, Calif., on or about December 27, 1928, and transported from the State of California into the State of New Orleans, and charging adulteration in violation of the food and drugs act. The article was labeled in part: (Can) "Barataria Shrimp \* \* \* Dry Packed 5 Ounces Pride of Gulf Brand Packed by Caernarvon Canning Co., New Orleans."

It was alleged in the libel that the article was adulterated in that it consisted in whole or in part of a filthy, decomposed, and putrid animal substance.

On February 15, 1929, the Caernarvon Canning Co. (Inc.), New Orleans, La., having appeared as claimant for the property and having admitted the allegations of the libel, judgment of condemnation was entered, and it was ordered by the court that the product be released to the said claimant upon payment of costs and the execution of a bond in the sum of \$1,200, conditioned in part that it be reconditioned in compliance with the requirements of the food and drugs act and should not be used, sold, or disposed of without having been first inspected by a representative of this department.

R. W. DUNLAP, *Acting Secretary of Agriculture.*

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